

## APPENDIX

### **Extra-curricular Participation Agreement**

Student participation in extracurricular activities is considered to be a privilege. Students who participate in extracurricular activities must assume certain obligations and responsibilities beyond those of other students. High standards of conduct, performance, leadership and maintaining an alcohol and drug free person and environment will be expected of all students participating in the activities covered by this code.

The guidelines set forth in this code have been established as minimum requirements for students participating in extracurricular activities. This code does not supersede the district's student discipline policy, weapons policy or its extracurricular student drug policy.

Participants must agree to abide by the following conduct and training rules in order to be permitted to participate in any of the district's extracurricular programs. The district's extracurricular programs include all OSAA sanctioned activities and approved clubs.

This Extracurricular Participation Code is in effect for all athletes in all sports seasons commencing on the Oregon School Activities Association (OSAA) first established practice date in the fall of their freshman year, and continues until the last day of our student's senior year, play-off contests or awards ceremonies, whichever is later. At Burns High School we hold our student athletes accountable for their entire four year stint, including the summer months, as we deem it of the highest privilege to be representing our school, community and teams accordingly.

#### Provisions for Eligibility

**Extra-curricular Activities:** Prior to participating in an athletic activity, the participant must have completed and placed on file in the office the following items:

- Physician's statement; (A physical exam is required every two years and a medical history form must be signed by a parent/guardian in years the exam is not required.)
- Verification of insurance statement (each year);
- Participation agreement that includes this policy signed by parent and participant each year;
- Emergency medical card signed by the parent.

#### **Academic Eligibility Provisions**

Students participating in extracurricular activities must comply with OSAA and school policies. These policies are also subject to change pending any circumstances that may be out of our control, ie: Communicable Diseases.

#### **Eligible**

- Student is maintaining a current G.P.A of 2.00 or higher and has no failing grades.
- If a student is failing and ineligible at the end of the school year he/she will need to attend summer school for credit recovery in order to become eligible for fall co-curricular activities. If they successfully pass summer school and recover their needed credits, they will then be placed on probation and can participate.
- If they do not, they will continue into the fall on the ineligible list and cannot become eligible until they are meeting the eligibility requirements of the first 3 week grade check.

#### **Probation**

- Student's G.P.A. has fallen below a 2.00 or has a failing grade since the last eligibility check (every 3 weeks). The student and the parents will be notified as soon as the student has been placed on probation.
- Students on probation will be required to provide weekly grade reports to their coaches.

#### **Not Eligible**

- Student's G.P.A. is below a 2.00 or has a failing grade after the 3 week probation period. Students will remain ineligible for the next 3 week grading period. The student and the parents will be notified as soon as the student

has become ineligible. Students academically ineligible may not participate in contests or travel with the team or club; however they are expected to attend practices, unless otherwise instructed by their coaches, parents/guardians.

### Grade Checks

- Grade checks will be completed on the Monday following the end of weeks 3, 6 & 9 weeks, and at the end of each quarter. Students have a chance then and only then to change their academic eligibility status. In addition, all students must meet all OSAA standards.

### IMPORTANT:

- Students on probation do remain eligible to participate during the 3 week period.
- Students not eligible will become eligible after the 3 week period IF they bring their G.P.A. up to a 2.00 and are not failing any classes, at which point they are then eligible to participate, but are still on probation

To participate, students must also **be in attendance the entire day** of the scheduled activity to be considered eligible for participation. Exceptions may be made for students who have prearranged and excused medical/dental appointments, interviews, school sponsored activities, funerals or other emergency situations where prior approval has been given by the athletic director or principal. If an unexcused absence occurs the last school day of the week, students are not eligible to participate in contests/competitions or practices until the next school day.

### Multi-Sport Participation

In the athletic program, a student may participate in more than one sport during each sport season, provided each head coach involved agrees, and a workable practice and game conflict solution is in place. The athlete will declare a primary and secondary sport before the end of the 1<sup>st</sup> week of practice in case of contest conflicts. The athlete will be required to attend all practices for each sport, unless excused by the coach. Coaches can provide alternative workouts or practices on a daily or weekly basis, as they deem appropriate.

### Attendance

- When students are excused from class for an activity, they are not excused from doing make up work. They must arrange before the absence to make up the work according to the district's incomplete work policy.
- Students will not be permitted to participate in a contest/competition or practice if they have an unexcused absence on the day of the contest/competition or practice. If the unexcused absence occurs the last school day of the week, students are not eligible to participate in contests, competitions or practices until the next school day.
- Students are expected to be in attendance on a regular school day after a competition, no exceptions
- Students placed on an out-of-school suspension will not be allowed to participate or practice during the term of that suspension. If at the time of the out-of-school suspension, the activity season has reached the point where interscholastic contests or competitions are being held; the suspended student will not be allowed to participate in such interscholastic contests or competitions during the period of suspension.
- However, if during the time of the out-of-school suspension, no interscholastic contests or competitions happen to be scheduled, then the student will not be allowed to participate in the first interscholastic contest or competition that occurs after the out-of-school suspension is completed.

### Dropping/ Adding an Extra-curricular Activity

- A participant who wishes to drop an extra-curricular activity and try out for another, may do so only by first obtaining the permission of the coach/advisor from whose activity the participant is dropping, and then getting permission from the coach/advisor of the other activity. This must be done with the activity director's concurrence.
- A participant who is not allowed to participate in an extra-curricular activity because of violation of this Extracurricular Participation Policy or other disciplinary rules of the district is not eligible to participate in any other extracurricular activity for the duration of the first extracurricular activity.

## Suspensions and Dismissals

At Burns High School and Hines Middle School we want to create and promote an atmosphere that allows our students to be given an opportunity to learn from their mistakes in a positive manner, while still being held accountable for their individual actions. The following matrix explains how all behavior, vaping, tobacco, drugs and alcohol violations will be addressed when a student that participates in extracurricular activities has committed a violation.

- All extracurricular participants that agree to the following will knowingly be held accountable for their actions during the whole of their high school career, as well as during the summer months
- If a student is on academic suspension and incurs a discipline suspension, the two suspensions will be implemented consecutively.
- If a student is placed on probation for any reason falling under the *Burns High School Extracurricular Policy* or *Academic Eligibility Policy* will still be expected to participate in all practices. Any unexcused absences may result in further suspension.
- Only the coach or advisor can excuse a participant from a practice or competition. The coach or advisor must follow the guidelines described in the *Coach/Advisor Handbook*.
- If a participant is dismissed from an extracurricular activity, the participant forfeits the right to receive any awards for participation in that activity.
- Charges falling in the 1st, 2nd, 3rd, or 4th offense groupings will be investigated and may be confirmed by any of the following
  - Statements of the student
  - Witness interviews
  - Records from law enforcement or juvenile agencies
  - A positive result on the district wide random drug test

## Student rights

- The parent/guardian and participant will be notified personally of any charges, confirmations, suspensions and or dismissals by the administrator.
- Any participant accused of committing an offense falling in the 1st, 2nd, 3rd or 4th is entitled to due process. The student shall be afforded prior knowledge of behaviors that will result in disciplinary consequences and what the consequences will be. (This policy serves that purpose.) The participant shall be informed of charges alleging his/her violation of any provision of this policy. The complaint procedure shall serve as the appeal process as outlined in Board policy KL - Public Complaints.

## *Burns High School Extracurricular Participation Agreement*

### 1st Offense

<p><u>Group I:</u></p> <p>Behavior, Tobacco, Party Participation with <u>NO</u> M.I.P Citation</p>	<p>~10% Loss of extracurricular season</p>
<p><u>Group II:</u></p> <p>A self-confession of consuming any banned or illegal substance, per HCSD#3</p> <p>Justifiable proof is found that a student has or had been consuming any banned or illegal substance, per HCSD#3. (ie: Teacher/Staff witness, student report, school camera footage)</p> <p>Cited with an M.I.P for possession or consumption of any illegal substance</p>	<p>~25% Loss of extracurricular season</p> <p>~20 hours of Community or School Service to fidelity in 20 days' time</p> <p>~Complete A&amp;D Evaluation and any required course work.</p>

### 2nd Offense

<p><u>Group I:</u></p> <p>Behavior, Tobacco, Party Participation with <u>NO</u> M.I.P Citation</p>	<p>~100% Loss of extracurricular season with the opportunity to earn back 50% of their season when...</p> <p>~40 hours of Community or School Service is completed to fidelity in 40 days' time</p> <p>~Completion of an A&amp;D Evaluation and any required course work.</p>
<p><u>Group II:</u></p> <p>A self-confession of consuming any banned or illegal substance, per HCSD#3</p> <p>Justifiable proof is found that a student has or had been consuming any banned or illegal substance, per HCSD#3 (i.e.: Teacher/Staff witness, student report, school camera footage)</p> <p>Cited with an M.I.P for possession or consumption of any illegal substance</p>	<p>~100% Loss of extracurricular season with the opportunity to earn back 50% of their season when...</p> <p>~40 hours of Community or School Service is completed to fidelity in 40 days' time</p> <p>~Completion of an A&amp;D Evaluation and any required course work</p> <p>~Complete 3rd Millennium courses based on offense</p>

## *Burns High School Extracurricular Participation Agreement*

### 3rd Offense

<p><u><i>Group I &amp; II</i></u>                  Behavior, Tobacco, Party Participation with <u><i>NO</i></u> M.I.P Citation,                  A self-confession of consuming any banned or illegal substance, per HCSD#3                  Justifiable proof is found that a student has or had been consuming any banned or illegal substance, per HCSD#3 (<i>i.e.: Teacher/Staff witness, student report, school camera footage</i>)                  Cited with an M.I.P for possession or consumption of any illegal substance</p>	<p>~1 full year suspension from any extracurricular seasons                  ~Work on your mental and physical health to become a more positive role model in our extracurricular and school community                  ~Show adequate progress to completing any court appointed course(s) or rehabilitation                  ~Opportunities to practice with your respective extracurricular activity upon a coach, administration and court approved contract</p>
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### 4th Offense

<p><u><i>Group I &amp; II</i></u>                  Behavior, Tobacco, Party Participation with <u><i>NO</i></u> M.I.P Citation,                  A self-confession of consuming any banned or illegal substance, per HCSD#3                  Justifiable proof is found that a student has or had been consuming any banned or illegal substance, per HCSD#3 (<i>ie: Teacher/Staff witness, student report, school camera footage</i>)                  Cited with an M.I.P for possession or consumption of any illegal substance</p>	<p>~Student will no longer be given the opportunity to partake in any of the extracurricular activities sponsored by Burns High School</p>
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**\*Head coaches have the right to extend the suspension and/or remove the student athlete from the team if they deem that the above punishments are not equitable to the situation.**

**\*Any expenses accrued during any of the community service hours, evaluations, required courses for rehabilitation will be at the expense of the student's parent or guardian.**

#### Misdemeanors and Felonies

The committing of a misdemeanor or felony by a student shall be considered to be a violation of this policy. If a participant is arrested by a police agency for an action, the district will defer its own investigation to the criminal justice process. The student involved will not be allowed to participate in any extracurricular activity until the court and administrative team has determined what the best decision for the student shall be.

#### One time Self Reporting Criteria

Any student willing to self-report due to a means of receiving additional and needed help, in order to better their overall physical and mental health will not be punished. Unless the self-report coincides with the Monday after any

known party. After being caught with any illegal substance. After any physical altercation or citations by any police agency, or any current school investigation involving the student.

Students will only be allowed one self-reporting pass. We want this to be available for students to positively acknowledge that they need additional help, not a way to avoid consequences.

#### **Transfer Students**

Any student that transfers to Burns High School from another school due to disciplinary reasons will be held accountable to serve out any consequences from their previously attending school in which they would have served the punishment originally.

Any student involved in extracurricular activities at Burns High School will be held accountable for their actions under this policy.

### Co-curricular/Extracurricular Student Drug Policy

#### Definition

- As part of the district's substance abuse prevention efforts, the district shall conduct a mandatory drug-testing program for student athletes. The purpose for this program is three-fold:
  - To provide for the health and safety of all student athletes;
  - To undermine the effects of peer pressure by providing a legitimate reason for student athletes to refuse to use illegal or performance-enhancing drugs; and
  - To encourage student athletes who use drugs to participate in drug treatment programs.
- Each student wishing to participate in any interscholastic athletic program and the student's parent or guardian shall consent in writing to drug testing pursuant to the district's drug testing program. The district shall provide written consent forms for signature. No student shall be allowed to participate in any interscholastic athletic program absent such consent.
- No student athlete shall be penalized academically for testing positive for any illegal or performance enhancing drugs. The results of drug tests pursuant to this policy will not be documented in any student's academic records. Information regarding the results of drug tests will not be disclosed to criminal or juvenile authorities absent legal compulsion by valid and binding subpoena or other legal process, which the district shall not solicit. In the event of a subpoena or other legal process, the district will notify the student's parents prior to releasing information.
- Student athletes may be tested at the beginning of any athletic season. Random testing will be conducted periodically thereafter by a method determined by the district to assure the integrity, confidentiality and random nature of the selection process.
- This drug-testing program shall test for one or more illegal or performance-enhancing drugs, which will be determined by the superintendent prior to sampling.
- The drug testing procedure shall provide for limited access to the results of any such testing and shall also provide for procedures in the event of a positive result. The drug-testing program shall also provide for progressively more restrictive consequences in the event of the first, second or third positive results. Such consequences shall include appropriate forms of assistance for drug or alcohol rehabilitation.
- The district's administration is charged with the responsibility to develop administrative regulations governing this drug testing program in accordance with the policy statements herein and in accordance with the provisions of law.

END OF POLICY

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#### Legal Reference(s):

ORS 329.095	ORS 339.240	ORS 342.726
ORS 332.107	ORS 339.250	ORS Chapter 475
ORS 336.222	ORS 342.721	OAR 581-021-0050 to -0075
ORS 336.227	ORS 342.723	OAR 581.022-0413
		OAR 581-022-0416

Vernonia Sch. Dist. 47J v. Acton, 515 U.S. 646 (1995).  
 Bd. of Educ. of indep. Sch. Dist. No. 92 of Pottawatomie County v. Earls, 536 U.S. 822 (2002).  
 Weber v. Oakridge Sch. Dist. 76, 184 Or. App. 415 (2002).

**Administrative Regulations - Co-curricular/Extracurricular  
Student Athlete Drug Policy**

**Definitions**

1. "Illegal drug" is any drug which an individual may not sell, possess, use, distribute or purchase under state law, or as defined in schedules through V of the Controlled Substances Act (21 U.S.C. § 812) including, but not limited to, marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP). As used in this policy, "illegal drug" also means possession, use, sale or supply of prescription and nonprescription medication - in violation of Board policy JHCD -Administering Non-injectable Medicines to Students and accompanying administrative regulation and JHCDA - Administering Injectable Medicines to Students. "Illegal drug" shall also include alcohol.
2. "Performance-enhancing drug" includes anabolic steroids and any other natural or synthetic substance used to increase muscle mass, strength, endurance, speed or other athletic ability. The term "performance-enhancing drug" does not include dietary or nutritional supplements such as vitamins, minerals and proteins which can be lawfully purchased in over-the-counter transactions.
3. "Prescription medication" means any non-injectable drug, chemical compound, suspension or preparation in suitable form for use as a curative or remedial substance taken either internally or externally by a student under the written direction of a physician. Prescription medication does not include dietary food supplements.
4. "Nonprescription medication" means only commercially prepared, non-alcohol-based medication to be taken at school that is necessary for the student to remain in school. This shall be limited to eyes, nose and cough drops, cough suppressants, analgesics, decongestants, antihistamines, topical antibiotics, anti-inflammatories and antacids that do not require written or oral instructions from a physician. Nonprescription medication does not include dietary food supplements.

The following procedures shall govern the district's Co-curricular/Extracurricular Student Drug Policy program:

**Program Coordinator**

1. The superintendent will be designated as the district's program coordinator.
2. The superintendent will:
  - A. Ensure that all student athletes receive written materials explaining the district's program requirements including:
    1. The district policy and administrative regulation;
    2. A contact person knowledgeable about the materials, policy and administrative regulations;
    3. Specific information concerning prohibited conduct;
    4. Circumstances under which student athletes will be tested;
    5. Procedures used in the testing process;
    6. Explanation of what constitutes a refusal to submit to a drug and/or alcohol test;
    7. Consequences of violations (e.g., suspension or removal from practices or team, referral to substance abuse professional for evaluation, treatment and follow-up testing as required);
    8. Information on the effects of drug use and alcohol misuse on personal life, health and safety.
  - a. Ensure that student athletes sign the drug testing consent form;
  - b. Ensure that the district properly maintains information and complies with all requirements for confidentiality of records;



- c. Ensure selection of a site with appropriately trained personnel for the collection of specimens for drug testing;
- d.
- e. Ensure selection of a site with a certified breath alcohol technician and evidential breath testing devices for alcohol testing;
- f. Ensure selection of a laboratory certified by the Department of Health and Human Services (DHHS) to conduct drug specimen analysis;
- g. Ensure the district's student athlete drug testing program is maintained in at least outline form, on file and available for inspection at the district office.
- h. Ensure the establishment has clearly defined communication procedures to include the method (e.g., mail, fax) and frequency (e.g., monthly, daily and weekly) as well as the authorized individuals to impart and receive information.

\* Site requirements noted in subsections 4 - 7 above are met by \_\_\_\_\_ and \_\_\_\_\_ Hospital.

### Procedures for Student Athletes

1. Consent: Each student wishing to participate in any interscholastic athletic program and the student's custodial parent or guardian shall consent in writing to drug testing pursuant to the district's drug testing program. Written consent shall be in the form attached to this policy as Exhibit A. No student shall be allowed to participate in any interscholastic athletic program absent such consent.
2. Student Selection: At the option of the district, all student athletes may be drug tested at the beginning of any athletic season. Selection for random testing may be conducted weekly during the athletic season. Selection for random testing will be by lottery drawing from a "pool" of all student athletes participating in interscholastic athletic programs in the district at the time of the drawing.
3. The superintendent designee shall take all reasonable steps to assure the integrity, confidentiality and random nature of the selection process including, but not necessarily limited to, ensuring that the person drawing names has no way of knowingly choosing or failing to choose particular students for the testing, assuring that the identity of students drawn for testing is not known to those involved in the selection process and assuring direct observation of the selection process by at least two adults.
4. Sample Collection: Collection of samples will be supervised by qualified personnel.
5. Prescription Medication: Students who are taking prescription medication may provide a copy of the prescription or a doctor's verification to school personnel. Such information provided by the student will not be disclosed to any unauthorized school official. Students who refuse to provide verification and test positive will be subject to the actions specified below for "positive tests."
6. Scope of Tests: The testing lab will be instructed to test for one or more dangerous drugs. Student athlete samples will not be screened for the presence of any substance other than an illegal or performance-enhancing drug or for the existence of any physical condition other than drug ingestion.
7. Limited Access to Results: The testing lab will be authorized to report results only to the Superintendent or to such person as the superintendent may designate.

### Pre-Season Testing

1. The district may conduct pre-season testing as follows:
  - o Participation in the sport may be contingent upon the test results;
  - o Prospective student athletes must have signed the drug testing consent form.
  - o Prior to being directed by the district to a collection site for drug or alcohol testing, the student athlete will be notified that the sample collected shall be tested for the presence of drugs and that breath testing may be conducted for the presence of alcohol;

- Failure to report to the collection site for testing within the time frame specified by the district shall constitute a refusal to report for testing and shall result in the consequence of being treated as a "positive result."
- Drug and alcohol testing will be paid for by the district;
- Refusal to submit to drug and alcohol testing as required by the district shall result in the consequence of being treated as a "positive result."
- The district will not provide exceptions to any preseason drug and alcohol testing requirements.

### Random Testing

1. The district shall conduct random drug testing during the season as follows:
  - Testing rates shall provide for a reasonable sampling number;
  - The testing rate may be adjusted periodically;
  - The testing process shall, in fact, be random. All student athletes will remain in the pool for each subsequent testing period, whether or not they have been chosen for testing in the past; The process selected by the district will ensure that all student athletes shall have an equal chance of being tested each time selections are made;
  - All such testing shall be unannounced and time will be selected reasonably throughout the testing period;
  - Following notification of testing, selected student athletes shall proceed to the district selected collection site immediately or as soon as practicable;
  - Student athletes who are absent will remain subject to random testing. Student athletes drawn for such testing will be notified and will be given the tests as soon as practicable upon return to school.

### Drug and Alcohol Testing Procedures

1. The district, in cooperation with contracted collection and testing facilities, shall maintain drug and alcohol testing procedures as follows:

#### Drugs:

- The student athlete reports to the district designated collection site and provides positive identification.
- The student will produce an appropriate sample for testing.
- The superintendent or designee will report positive testing results to the student athlete and discuss the type of dangerous substance found and determine whether there is any valid medical reason for the positive testing results. As part of due process, a positive sample will automatically be sent to a certified laboratory for further testing.
- A verified medical reason for a positive testing result will be reported as a negative testing result to the superintendent or designee.
- If no legitimate reason exists for positive testing, the student will be in violation of this policy.
- All laboratory results will be reported to the superintendent.
- Any sample that appears to be diluted or tampered with will be sent to the certified laboratory for further testing. If the laboratory verifies the sample is diluted or tampered with it is considered a positive test.
- The testing agency or trained personnel will follow all standard procedures including chain of custody, verification of positive testing results and maintenance of confidentiality requirements.

#### Alcohol:

- The student athlete reports to the district designated testing site and provides positive identification.
- Under the alcohol testing rule, a positive alcohol test result will be considered positive even if over-the-counter or legally prescribed medication is involved.

- All testing will be conducted by a trained breath alcohol technician and using evidential breath testing devices. Testing may be conducted at the Department of Health and Human Services (DHHS) certified laboratory or other location including mobile facilities equipped for such testing.
- Under certain circumstances, a properly trained district employee may conduct such testing in the absence of another breath alcohol technician.

**The student athlete submits to breathalyzer testing:**

- If the result of the testing indicates an alcohol concentration rate of 0.02 or greater, a second confirmation breath testing is administered.
- The breath alcohol technician will report any invalid tests in which the initial positive test and the confirmation test do not match, confirmed positive and negative results to the superintendent or designee.
- Student athlete refusal to sign forms as required shall be considered as a refusal to be tested.

**Procedures in the Event of Positive Result**

- If a student's test result indicates the presence of an illegal or performance-enhancing drug as described above, it will be considered a violation of the HCSD Extracurricular Participation Agreement found on pages 12-22 in Harney County School District #3 Extracurricular Activities Agreement Student handbook.

## Hazing/Harassment/Intimidation/Menacing/Bullying Cyberbullying/Teen Dating Violence - Student\*\*

The Board, in its commitment to providing a positive and productive learning environment will consult with parents/guardians, employees, volunteers, students, administrators and community representatives in developing this policy in compliance with applicable Oregon Revised Statutes. Hazing, harassment, intimidation or bullying, menacing and acts of cyberbullying by students, staff and third parties toward students is strictly prohibited. Teen dating violence is unacceptable behavior and prohibited. 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. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

Students whose behavior is found to be in violation of this policy will be subject to discipline, up to and including expulsion. The district may also file a request with the Oregon Department of Transportation to suspend the driving privileges or the right to apply for driving privileges of a student 15 years of age or older who has been suspended or expelled at least twice for menacing another student or employee, willful damage or injury to district property or for the use of threats, intimidation, harassment or coercion.

Students may also be referred to law enforcement officials.

The principal and the superintendent is responsible for ensuring that this policy is implemented.

### 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 control 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 school 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; 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 or bullying" means 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 district bus stop, that may be based on, but not limited to, the protected class status of a person, having the effect of:

1. Physically harming a student or damaging a student's property;

2. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property;
3. Creating a hostile educational environment including interfering with the psychological wellbeing of the student and may be based on, but not limited to, the protected class of the person.

"Protected class" means a group of persons distinguished, or perceived to be distinguished, by race, color, religion, sex, sexual orientation<sup>1</sup>, national origin, marital and/or familial status, source of income or disability.

**"Teen dating violence" means:**

1. 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 a dating relationship with the person, where one or both persons are 13 to 19 years of age; or
2. 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.

"Cyberbullying" is the use of any electronic communication device to harass, intimidate or bully. Students and staff will refrain from using personal communication devices or district property to violate this policy.

"Retaliation" means hazing, harassment, intimidation or bullying, menacing, teen dating violence and acts of cyberbullying toward a person in response to a student for actually or apparently reporting or participating in the investigation of hazing, harassment, intimidation or bullying, menacing, teen dating violence and acts of cyberbullying or retaliation.

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

**Reporting**

The principal will take reports and conduct a prompt investigation of any report of an act of hazing, harassment, intimidation or bullying, menacing, and acts of cyberbullying. Any employee who has knowledge of conduct in violation of this policy shall immediately report his/her concerns to the principal who has overall responsibility for all investigations. Any employee who has knowledge of incidents of teen dating violence that took place on district property, at a district-sponsored activity or in a district vehicle or vehicle used for transporting students to a district activity shall immediately report the incident to the principal. Failure of an employee to report an act of hazing, harassment, intimidation or bullying, menacing or an act of cyberbullying to the principal may be subject to remedial action, up to and including dismissal. Remedial action may not be based solely on an anonymous report.

Any student who has knowledge of conduct in violation of this policy or feels he/she has been hazed, harassed, intimidated or bullied, menaced, a victim of teen dating violence and acts of being cyberbullied in violation of this policy is encouraged to immediately report his/her concerns to the principal who has overall responsibility for all investigations. Any volunteer who has knowledge of conduct in violation of this policy is encouraged to immediately report his/her concerns to the principal who has overall responsibility for all investigations.

This report may be made anonymously. A student or volunteer may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate district official.

Complaints against the principal shall be filed with the superintendent. Complaints against the superintendent 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. The complainant may request that the superintendent review the actions taken in the initial investigation, in accordance with district complaint procedures.

<sup>1</sup> " Sexual orientation" means an individual's actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual's gender identity, appearance, expression or behaviors differs from that traditionally associated with the individual's sex at birth.

The district shall incorporate into existing training programs for students' information related to the prevention of, and the appropriate response to, acts of harassment, intimidation or bullying and acts of cyberbullying.

The district shall incorporate age-appropriate education about teen dating violence into new or existing training programs for students in grades 7 through 12.

The district shall incorporate into existing training programs for staff information related to the prevention of, and the appropriate response to, acts of harassment, intimidation or bullying, teen dating violence and acts of cyberbullying.

The superintendent shall be responsible for ensuring annual notice of this policy is provided in a student or employee handbook, school and district's website, and school and district office.

END OF POLICY

**Legal Reference(s):**

- |                               |                               |                          |
|-------------------------------|-------------------------------|--------------------------|
| <u>ORS 163.190</u>            | <u>ORS 332.107</u>            | <u>OAR 581-021-0045</u>  |
| <u>ORS 166.065</u>            | <u>ORS 339.240</u>            | <u>OAR 581-021 -0046</u> |
| <u>ORS 166.155 to-166.165</u> | <u>ORS 339.250</u>            | <u>OAR 581-021-0055</u>  |
| <u>ORS 174. 100(6)</u>        | <u>ORS 339.254</u>            | <u>OAR 581-022-1140</u>  |
| <u>ORS 332.072</u>            | <u>ORS 339.351 to-339.364</u> |                          |

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

**Cross Reference(s):**

- GBN/JBA - Sexual Harassment
- JBA/GBN - Sexual Harassment
- JFCM - Threats of Violence

## **Maintaining Professional Staff /Student Boundaries**

The purpose of this section is to provide all staff, students, volunteers and community members with information to increase their awareness of their role in protecting children from inappropriate conduct by adults.

In a professional staff/student relationship, school employees maintain boundaries that are consistent with the legal and ethical duty of care that school personnel have for students.

A boundary invasion is an act or omission by a school employee that violates professional staff/student boundaries and has the potential to abuse the staff/student relationship.

An inappropriate boundary invasion means an act, omission, or pattern of such behavior by a school employee that does not have an educational purpose; and results in abuse of the staff/student professional relationship.

### **Unacceptable Conduct**

Examples of inappropriate boundary invasions by staff members include but are not limited to the following:

- Any type of inappropriate physical contact with a student' or any other conduct that might be considered harassment under the Board's policy on Harassment and Sexual Harassment of Students;
- Showing pornography to a student;
- Singling out a particular student or students for personal attention and friendship beyond the professional staff-student relationship;
- Socializing where students are consuming alcohol, drugs or tobacco,
- For non-guidance/counseling staff, encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, staff members are expected to refer the student to appropriate guidance/counseling staff. In either case, staff involvement should be limited to a direct connection to the student's school performance;
- Sending students on personal errands unrelated to any educational purpose;
- Banter, allusions, jokes or innuendos of asexual nature with students;
- Disclosing personal, sexual, family, employment concerns, or other private matters to one or more students;
- Addressing students, or permitting students to address staff members with personalized terms of endearment, pet names, or otherwise in an overly familiar manner;
- Maintaining personal contact with a student outside of school by phone, email, Instant Messenger or Internet chat rooms, social networking Web sites, or letters (beyond homework or other legitimate school business) without including the parent/guardian.
- Exchanging personal gifts, cards or letters with an individual student;
- Socializing or spending time with students (including but not limited to activities such as going out for beverages, meals or movies, shopping, traveling, and recreational activities) outside of school-sponsored events, except as participants in organized community activities;
- Giving a student a ride alone in a vehicle in a non-emergency situation; and/or
- Unnecessarily invading a student's privacy, (e.g. walking in on the student in the bathroom)

### **Appearances of Impropriety**

The following activities are boundary invasions and can create an actual impropriety or the appearance of impropriety. Whenever possible, staff should avoid these situations; if unavoidable these activities should be pre-approved by the appropriate administrator. If not pre approved, the staff person must report the occurrence to the appropriate administrator as soon as possible.

- Being alone with an individual student out of the view of others;
- Inviting or allowing individual students to visit the staff member's home;
- Visiting a student's home; and/or
- Social networking with students for non-educational purposes

### **Reporting Violations**

Students and their parents/guardians are strongly encouraged to notify the principal (or other administrator) if they believe a teacher or other staff member may be engaging in conduct that violates this policy.

Staff members are required to promptly notify the principal (or other administrator) or the superintendent if they become aware of a situation that may constitute a violation of this policy.

**Disciplinary Action**

Staff violations of this policy may result in disciplinary action up to and including dismissal. The violation will also be reported to the state Office of Professional Practices. Violations involving sexual or other abuse will also result in referral to Child Protective Services and/or law enforcement in accordance with the board's policy on Reporting Child Abuse and Neglect.

**Training**

All new employees and volunteers will receive training on appropriate staff /student boundaries within three months of employment...



HARNEY COUNTY SCHOOL DISTRICT #3  
EXTRACURRICULAR PARTICIPATION AGREEMENT

STUDENT NAME \_\_\_\_\_ (print name carefully)

I recognize it is a privilege to participate in extracurricular activities at Harney County School District #3. I agree to the terms outlined in the Extracurricular Participation Policy and agree to the terms outlined in it. I understand this agreement is binding for as long as I am enrolled as a student in Harney County School District #3.

*The Extracurricular Participation Policy is available on the District's website (www.burnsschools.k12.or.us), or a copy may be picked up in your school's office.*

Participation fees are charged to help offset the costs of the athletic program. Fees are based on participation in the sport. Students who practice and are included in the sport are to pay participation fees. Fees are to be paid by the second week of practice.

Parents and athletes agree to pay participation fees charged by the district for Football, Volleyball, Cross Country, Wrestling, Basketball, Track, Baseball and Softball, Golf.

- High School: \$150 per sport
- Middle School: \$75 per sport
- Individual Academic Year cap: High School - \$300; Middle School - \$150
- Family Academic Year cap: \$450

Participation fees charged by the district for football, volleyball, wrestling, basketball, track, baseball, softball, cross country and golf will be the only fees included in the individual and family caps.

Parents and athletes understand and agree that participation fees will be refunded if a player is cut from a team. If an athlete is injured and can no longer participate because of the injury, the family may appeal to the athletic director for a partial or full refund. If an athlete quits the team or becomes ineligible to participate, the participation fee will not be refunded.

\_\_\_\_\_  
Signature of Participating Student

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Parent/Guardian

\_\_\_\_\_  
Date