



Code: **JBA/GBN-AR**  
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4/09/14; 9/24/14  
Orig. Code(s): JBA/GBN-AR

## **Sexual Harassment Complaint Procedure**

Principals, the compliance officer and the superintendent have responsibility for investigations concerning sexual harassment. The investigator shall be a neutral party having had no involvement in the complaint presented.

**Step 1** Any sexual harassment complaint shall be presented in writing or orally to the principal, compliance officer or superintendent. Complaints against the superintendent shall be submitted to the Board chair. The Board shall secure a third party to investigate. If the complaint is submitted in writing, it should include the specific nature of the sexual harassment and corresponding dates.

**Step 2** The district official receiving the complaint or designee shall promptly investigate the complaint. He/she will arrange such meetings as may be necessary to discuss the complaint with all concerned parties within five working days after receipt of the complaint. All findings of the investigation, including the response of the alleged harasser, shall be reduced to writing. The district official conducting the investigation shall notify the complainant in writing when the investigation is concluded.

The notification may include the general results of the investigation, i.e., there was insufficient evidence to warrant disciplinary action or disciplinary action has been recommended. Any such notification regarding the release of student or employee disciplinary information shall be subject to state and federal law and pertinent provisions of Oregon Administrative Rules.

The letter, together with any other documentation related to the sexual harassment incident by a staff member or other adult will be forwarded to the superintendent.

**Step 3** If the complainant is not satisfied with the decision at Step 2, he/she may submit a written appeal to the superintendent or designee. Such appeal must be filed within 10 working days after receipt of the Step 2 decision. The superintendent or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The superintendent or designee shall provide a written decision to the complainant's appeal within 10 working days.

**Step 4** If the complainant is not satisfied with the superintendent's or designee's decision, a complaint with the Board may be filed within 10 working days after receipt of the Step 3 decision. The Board shall, within 20 working days, conduct a hearing at which time the complainant shall be given an opportunity to present the complaint. The Board shall provide a written decision to the complainant within 10 working days following completion of the hearing.

Direct complaints related to employment may be filed with the U.S. Department of Labor, Equal Employment Opportunity Commission or Oregon Bureau of Labor and Industry. Direct complaints related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 Second Avenue, Room 3310, Seattle, WA 98174-1099. Additional information regarding filing of a complaint may be obtained through the principal, compliance officer or superintendent.

All documentation related to sexual harassment complaints may become part of the student's education record or employee's personnel file as appropriate. Additionally, a copy of all sexual harassment complaints and documentation will be maintained as a confidential file and stored in the district office.

The superintendent shall report the name of any person holding a teaching license or registered with Teacher Standards and Practices Commission (TSPC) or participating in a practicum under OAR Chapter 584, Division 17 when, after appropriate investigation, there is reasonable cause to believe the person may have committed an act of sexual harassment. Reports shall be made to the TSPC within 30 days of such a finding. Reports of sexual contact with a student shall be given to a representative from law enforcement or Oregon Department of Human Services, as possible child abuse. In the event the superintendent is the subject of the investigation, reports, when required, shall be made by the Board chair.

**SEXUAL HARASSMENT COMPLAINT FORM**

Name of complainant: \_\_\_\_\_

Position of complainant: \_\_\_\_\_

Date of complaint: \_\_\_\_\_

Name of alleged harasser: \_\_\_\_\_

Date and place of incident or incidents: \_\_\_\_\_

\_\_\_\_\_

Description of misconduct: \_\_\_\_\_

\_\_\_\_\_

Name of witnesses (if any): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Evidence of sexual harassment, i.e., letters, photos, etc. (attach evidence if possible): \_\_\_\_\_

\_\_\_\_\_

Any other information: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**WITNESS DISCLOSURE FORM**

Name of Witness: \_\_\_\_\_

Position of Witness: \_\_\_\_\_

Date of Testimony/Interview: \_\_\_\_\_

Description of Instance Witnessed: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Any Other Information: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I agree that all the information on this form is accurate and true to the best of my knowledge.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_