

## **Hazing/Harassment/Intimidation/Menacing/Bullying/Cyberbullying Complaint Procedure - Staff**

The following definitions and procedures shall be used for reporting, investigating, and resolving complaints of hazing, harassment, intimidation, menacing, bullying, or acts of cyberbullying.

### **Definitions**

“Third parties” include, but are not limited to, coaches, school volunteers, parents, students, 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.

“District” includes district facilities, district premises, and nondistrict property if the employee is at any district-sponsored, district-approved, or district-related activity or function, such as field trips or athletic events or where the employee is engaged in district business.

“Hazing” includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health, or safety of a staff member for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any district-sponsored work activity, work group, work assignment. Hazing includes, but is not limited to requiring, encouraging, authorizing, or permitting acts of 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 staff member requiring, encouraging, authorizing, or permitting 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 regardless of the person’s willingness to participate.

“Harassment” includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written, or physical nature on the basis of race, color, religion, sex, gender identity, gender expression, national origin, citizenship, sexual orientation, disability, parental or marital status, or age.

“Intimidation” includes, but is not limited to, 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 of race, color, religion, sex, gender identity, gender expression, national origin, citizenship, sexual orientation, disability, parental or marital status, or age.

“Cyberbullying” means the use of any electronic communication device to convey a message in any form (text, image, audio, or video) that intimidates, harasses, or otherwise harms, insults, or humiliates another in a deliberate, repeated, or hostile and unwanted manner under a person’s true or false identity. In addition, any communication of this form which substantially disrupts or prevents a safe and positive educational or working environment also may be considered cyberbullying. Students and staff will refrain from using personal communication devices or district property to harass or stalk another.

“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.

### **Retaliation/False Charges**

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 also shall be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

### **Complaint Procedures**

The building administrator or district department director has responsibility for investigations concerning hazing, harassment, intimidation, menacing, bullying, or acts of cyberbullying. The investigator(s) shall be a neutral party having had no involvement in the complaint presented.

Any employee who has knowledge of conduct in violation of Board policy JFCF-Hazing/ Harassment/Intimidation/Menacing/Bullying/Cyberbullying-Students shall immediately report his/her concerns to the designated district official.

Any employee or third party who has knowledge of conduct in violation of Board policy or feels he/she has been hazed, harassed, intimidated, menaced, bullied, cyberbullied, or retaliated against in violation Board policy or this administrative regulation is encouraged to immediately report his/her concerns to the designated district official.

All complaints will be investigated promptly in accordance with the following procedures:

- Step 1      Any hazing, harassment, intimidation, menacing, bullying, or acts of cyberbullying, information (complaints, rumors, etc.) shall be presented to the building administrator or district department director. Complaints against the building administrator or district department director shall be filed with the superintendent. Complaints against the superintendent shall be filed with the Board chair. All such information will be recorded in writing and will include the specific nature of the offense and corresponding dates.
  
- Step 2      The district official receiving the complaint promptly shall investigate. Parents will be notified of the nature of any complaint involving their student. The district official will arrange such meetings as may be necessary with all concerned parties within 10 school days after receipt of the information or complaint, unless extenuating circumstances require the superintendent to extend the length of the investigation. The parties will have an opportunity to submit evidence

and a list of witnesses. All findings related to the complaint will be recorded in writing. The district official(s) conducting the investigation shall notify the complainant and parents as appropriate, when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined.

A copy of the notification letter or the date and details of notification to the complainant, together with any other documentation related to the incident, including disciplinary action taken or recommended, shall 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. If the superintendent is the subject of the complaint, the written appeal may be filed with the Board chair.
- Step 4 If the complainant is not satisfied with the decision at Step 3, a written request for review may be filed with the Board. Such request for review must be filed within 10 working days after receipt of the Step 3 decision. In an attempt to resolve the complaint, the Board shall meet with the concerned parties at a regular Board meeting in Executive Session. The Board shall provide a written decision to the complainant within 10 working days following completion of the hearing.

### **Time**

The number of days given at each level shall be regarded as a maximum and every effort will be made to expedite the process, unless extenuating circumstances require the superintendent to extend the length of the investigation.

Direct complaints related to employment may be filed with the Oregon Bureau of Labor and Industries, Civil Rights Division, or the US Department of Labor, Equal Employment Opportunities Commission.

Documentation related to the incident may be maintained as part of the employee's personnel file.

**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 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 \_\_\_\_\_