

Reporting Requirements Regarding Sexual Conduct with Students

Sexual conduct by district/school employees as defined by Oregon law will not be tolerated. All district employees are subject to this policy.

“Sexual conduct” as defined by Oregon law is any verbal, physical, or other conduct by a school employee that is sexual in nature; directed toward a kindergarten through grade 12 student; unreasonably interferes with a student’s educational performance; and creates an intimidating, hostile, or offensive educational environment. The definition for sexual conduct does not include behavior that would be considered child abuse as outlined by Oregon law and district Board policy JHFE and JHFE-AR-Reporting of Suspected Child Abuse of a Child.

Any district/school employee who has reasonable cause to believe that another district/school employee or volunteer has engaged in sexual conduct with a student must immediately notify his/her supervisor, building principal, or human resources director.

When the district receives a report of suspected sexual conduct by a district employee, the district may decide to place the employee on paid administrative leave or in a position that does not involve direct, unsupervised contact with students while conducting an investigation. An investigation is a detailed inquiry into the factual allegations of a report of suspected sexual conduct that is based on interviews with the complainant, witnesses, and the district employee, or student who is the subject of the report. If the subject of the report is a school employee, the investigation must meet any negotiated standards of an employment contract or agreement.

If, following the investigation, the report is substantiated, the district will inform the employee that the report has been substantiated and provide information regarding the appeal process.

The employee may appeal the district’s decision through the appeal process provided by the district’s collective bargaining agreements. A substantiated report is one that:

1. An educational provider has reasonable cause to believe is founded based on the available evidence after conducting an investigation; and
2. Involves conduct that the educational provider determines is sufficiently serious to be documented in the employee’s personnel file.

If the employee decides not to appeal the determination or if the determination is sustained after an appeal, a record of the substantiated report will be placed in the employee’s personnel file. The employee will be notified that this information may be disclosed to a potential employer.

The district will post in each school building the name and contact information of the person designated to receive sexual conduct reports, as well as the procedures the human resources director will follow upon receipt of a report. In the event that the designated person is the suspected perpetrator, the superintendent shall receive the report.

Upon receipt of a report of suspected sexual conduct with a student, the human resources director promptly will investigate the report, and upon completion of the investigation will notify the person who initiated the report.

The initiation of a report in good faith about suspected sexual conduct may not adversely affect any terms or conditions of employment or the work environment of the complainant. If a student initiates a report of suspected sexual conduct by a district employee in good faith, the student will not be disciplined by the Board or any district employee.

The district will provide annual training to district employees, parents and students regarding the prevention and identification of sexual conduct. The district will provide to employees at the time of hire a description of conduct that may constitute sexual conduct and a description of records subject to disclosure if a sexual conduct report is substantiated.

Educational providers shall follow hiring and reporting procedures as outlined in ORS 339.374 for all district employees.



**Reporting of
SCHOOL DISTRICT EMPLOYEES
SUSPECTED SEXUAL CONDUCT WITH STUDENTS**

FOR POSTING

The 2009 Oregon State Legislature passed House Bill 2062, which deals with district employees who are suspected of sexual conduct with students. HB2062 requires the posting in each district building of the name and contact information for the person designated by the district to receive reports of suspected sexual conduct with students by district employees and the procedures the person will follow upon receipt of a report.

Reporting

Person: Jennifer Duvall
Human Resources Director

Address: Corvallis School District 509J
1555 SW 35th Street
Corvallis, OR 97333

Telephone Number: 541-757-5840

Fax Number: 541-757-3898

E-mail Address: jennifer.duvall@corvallis.k12.or.us

Procedures

Upon receipt of a report of suspected sexual conduct with a student, the human resources director promptly will investigate the report, and upon completion of the investigation will notify the person who initiated the report. If the district determines there is reasonable cause to support the report, the employee shall be placed on paid administrative leave. Depending upon the results of the investigation, the district may reinstate the employee, or take appropriate disciplinary action against the employee.

END OF POLICY

Legal Reference(s):

[ORS 339.370 to-339.400](#)

[ORS 418.746 to-418.751](#)

[ORS 419B.005 to-419B.045](#)

Cross Reference(s):

GCAB - Personal Communication Devices and Social Media - Staff

JHFE - Reporting of Suspected Abuse of a Child