

Sexual Harassment Complaint Procedure

MESD administrators, the compliance officer and superintendent have responsibility for investigations concerning sexual harassment. The investigator(s) will be a neutral party having had no involvement in the complaint presented.

- Step 1 Any sexual harassment information (complaints, rumors, etc.) will be presented to the school principal or the MESD program administrator, compliance officer or superintendent. All such information will be reduced to writing and will include the specific nature of the sexual harassment and corresponding dates. The complaint will be reported to the superintendent or designee who will notify the MESD's general counsel.
- Step 2 The MESD official receiving the information or complaint will promptly initiate an investigation. He/She will arrange such meetings as may be necessary to discuss the issue with all concerned parties within five working days after receipt of the information or complaint. All findings of the investigation, including the response of the alleged harasser, will be reduced to writing. The MESD official(s) conducting the investigation shall notify the complainant in writing when the investigation is concluded. The parties will have an opportunity to submit evidence and a list of witnesses. A copy of the notification letter, together with any other documentation related to the sexual harassment incident, including disciplinary action taken or recommended, will be forwarded to the superintendent.
- Step 3 If a 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 will provide a written decision to the complainant within 10 working days.
- Step 4 If a complainant is not satisfied with the decision at Step 3, he/she may submit a written appeal to the Board. Such appeal must be filed within 10 working days after receipt of the Step 3 decision. The Board will, within 20 working days, conduct a hearing at which time the complainant shall be given an opportunity to present the appeal. The Board will provide a written decision to the complainant within 10 working days following completion of the hearing.
- Step 5: If the complaint is not satisfactorily settled at the Board level, the employee may appeal to the U.S. Department of Labor, Equal Employment Opportunity Commission or Oregon Bureau of Labor and Industries; the student may appeal to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Ave., Room 3310,

Seattle, WA 98174-1099. Additional information regarding filing of a complaint may be obtained through the building 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 at the MESD central office.

The superintendent will report the name of any person holding a teaching license or registered with the Teacher Standards and Practices Commission (TSPC) or participating in a practicum under OAR 584-015-0070 or 584-016-1075 when, after appropriate investigation, there is reasonable cause to believe the person may have committed an act of sexual harassment. Reports will be made to the TSPC within 30 days of such a finding.

Reports of sexual contact with a student will be given to a representative of law enforcement or Oregon Department of Human Services, Community Human Services, as possible child abuse.

In the event the superintendent is the subject of the investigation, reports, when required, will be made by the Board chair.