

Sexual Harassment Investigation Procedure

Complaint Procedures

An employee or student who is subject to, or knows of sexual harassment shall notify the building principal, the district's designated compliance officer, or the superintendent. The compliance officer may request that the employee or student complete the Harassment Complaint Form and turn over any evidence of the harassment. Information received during the investigation shall be kept confidential to the extent possible.

The compliance officer has the authority to initiate a harassment investigation in the absence of a written complaint.

Investigations into sexual harassment must be completed within fifteen (15) working days of the report of the sexual harassment unless there are extenuating circumstances necessitating a longer investigation.

Investigation Procedure

The compliance officer shall reasonably and promptly commence the investigation upon receipt of the complaint. The compliance officer and the building administrator shall interview the complainant and the alleged harasser. The alleged harasser may file a written statement refuting or explaining the behavior outlined in the complaint. The compliance officer may interview witnesses as deemed appropriate.

Upon completion of the investigation, the compliance officer shall submit the findings of the investigation in writing to the superintendent, including other such documentation as may have been gathered during the course of the investigation.

Resolution of the Complaint

The Superintendent will complete the next step in the investigation reasonably and promptly upon receipt of the investigator's report. Following the investigator's report, the Superintendent may investigate further, if deemed necessary, and make a determination of the appropriate next step which may include discipline up to and including dismissal.

Prior to the determination of the appropriate disciplinary action, the superintendent may, at his/her discretion, interview the complainant, the alleged harasser, and such other persons as may be deemed necessary. The superintendent shall file a written report closing the case within fifteen (15) days of the compliance officer's report unless there are extenuating circumstances necessitating a longer investigation. The complainant, the alleged harasser, and the compliance officer shall be notified when the investigation is concluded.

If a complainant is not satisfied with the superintendent's decision, he/she may submit a written appeal to the Board of Directors. Such appeal must be filed within five (5) working days after receipt of the superintendent's decision. The Board shall, at its next regularly scheduled meeting, conduct a hearing at which time the complainant shall be given an opportunity to present the appeal. The Board shall provide a written decision to the complainant within twenty (20) working days following completion of the hearing.

If the complaint is not satisfied with the Board's decision, the employee may appeal to the U.S. Department of Labor, Equal Employment Opportunity Commission or Oregon Bureau of Labor and Industry; the student may appeal to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Avenue, Room 3310, Seattle WA 98174-1099.

Reporting Requirements

The superintendent shall report the name of any person holding a teaching license 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 shall be made to the Teacher Standards and Practices Commission within 30 days of such finding. Sexual contact with a student shall also be considered a reportable offense. In the event the superintendent is the subject of the investigation, reports, when required, shall be made to the board chairman.

Record-keeping Requirements

All documentation related to sexual harassment complaints will be maintained as a confidential file and stored in the district office.

Harassment Complaint Form

Name of complainant: _____

Position of complainant: _____

Date of complaint: _____

Name of alleged harasser: _____

Date and location of incident(s): _____

Description of misconduct: _____

Name of witnesses (if any): _____

Evidence of harassment: (i.e. letters, photos, etc - attach 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.

Complainant's Signature

Date

