

## **Reporting Requirements Regarding Sexual Conduct with Students**

This policy applies to all district employees and volunteers.

“Sexual conduct” as defined by Oregon law is any verbal or physical or other conduct 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.

Any district employee or volunteer 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 or the person identified by the district to receive such reports.

When the district receives a report of suspected sexual conduct by a district employee or volunteer, the district shall conduct an investigation.

If, following the investigation, the report is substantiated, the district shall inform the employee/volunteer that the report has been substantiated and provide information regarding any appeal process. If the report of sexual conduct is substantiated the employee/volunteer may be referred to law enforcement officials.

When a report of sexual conduct against the employee is substantiated the employee shall be subject to discipline, up to and including, termination from employment.

A licensed employee whose alleged conduct is substantiated shall be reported to Teacher Standards and Practices Commission.

A volunteer whose alleged sexual conduct is substantiated shall have his/her volunteer badge revoked and may face additional restrictions regarding his/her access to children and/or school district sites.

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

The district shall post the name and contact information of the person designated to receive sexual conduct reports and the procedures the superintendent/designee shall follow upon receipt of a report. When the superintendent/designee takes action on the report, the person who initiated the report shall be notified.

If a student in good faith initiates a report of suspected sexual conduct by a district employee or volunteer, the student shall not be disciplined for making such a report.

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

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

END OF POLICY

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**Legal Reference(s):**

[ORS 339.370](#)  
[ORS 339.372](#)  
[ORS 339.374](#)  
[ORS 339.378](#)  
[ORS 339.388](#)  
[ORS 339.400](#)  
[ORS 418.746 to-418.751](#)  
[ORS 418.990](#)  
[ORS 419B.005 to-419B.045](#)

**Cross Reference(s):**

JHFE - Reporting of Suspected Child Abuse