

Harassment/Intimidation/Cyberbullying/Menacing Complaint Procedures – Staff

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

Definitions

1. “Third parties” include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors or others engaged in public charter school business, such as employees of businesses or organizations participating in cooperative work programs with the public charter school and others not directly subject to public charter school control at interschool and intraschool athletic competitions or other public charter school events.
2. “Public charter school” includes public charter school facilities, public charter school premises and nonschool property if the employee is at any public charter school-sponsored, public charter school-approved or public charter school-related activity or function, such as field trips, athletic events or where the employee is engaged in public charter school business.
3. “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 age, race, religion, color, national origin, disability, marital status, sex or sexual orientation.
4. “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, national origin or sexual orientation.
6. “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 is otherwise intended to harm, insult or humiliate another in a deliberate, repeated or hostile and unwanted manner under a person’s true or false identity.
7. “Menacing” includes, but is not limited to, any act intended to place a public charter school 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 shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

Complaint Procedures

The public charter school administrator have responsibility for investigations concerning hazing, harassment, intimidation, acts of cyberbullying or menacing. 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 – Harassment/Intimidation/Menacing/Bullying/Cyberbullying/Teen Dating Violence – Student shall immediately report his or her concerns to the public charter school administrator.

Any employee or third party who has knowledge of conduct in violation of this policy or feels he or she has been harassed, intimidated, bullied, cyberbullied or menaced in violation of this policy is encouraged to immediately report his/her concerns to the designated public charter school official.

Complaints will be promptly investigated in accordance with the following procedures:

- Step 1 Any harassment, intimidation, acts of cyberbullying or menacing information (complaints, rumors, etc.) shall be presented to public charter school administrator. Information may be presented anonymously. Complaints against the public charter school administrator shall be filed with the Board chair. All such information will be reduced to writing and will include the specific nature of the offense and corresponding dates.
- Step 2 The public charter school official receiving the complaint shall promptly investigate. Parents will be notified of the nature of any complaint involving their student. The public charter school official will arrange such meetings as may be necessary with all concerned parties within five working days after receipt of the information or complaint. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the complaint will be reduced to writing. The public charter school official(s) conducting the investigation shall notify the complainant and parents as appropriate, in writing, when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined.
- Step 3 If the complainant is not satisfied with the decision at Step 2, a written appeal may be filed with the Board. Such appeal must be filed within 10 working days after receipt of the Step 2 decision. The Board shall, within 20 working days, conduct a hearing at which time the complainant shall be given an opportunity to present the complaint. The Board shall provide a written decision to the complainant within 10 working days following completion of the hearing.

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

Documentation related to the incident may be maintained as a part of the employee's personnel file. Additionally, a copy of all harassment, intimidation, acts of cyberbullying or menacing complaints and documentation will be maintained as a confidential file in the public charter school office.