

Mitchell School District #55

Code: JBA/GBN-AA
Adopted: 1/9/08

SEXUAL HARASSMENT COMPLAINT PROCEDURES

The superintendent has responsibility for investigations concerning sexual harassment. The investigator shall be a neutral party having had no involvement in the complaint presented.

Step I Any sexual harassment complaint shall be presented in writing or orally to the superintendent or Board chairperson. If the complaint is submitted in writing, it should include the specific nature of the sexual harassment and corresponding dates.

Step II The superintendent or Board chairperson shall promptly investigate the complaint. He/She will arrange such meetings as may be necessary to discuss the complaint with all concerned parties within five working days after receipt of the complaint. The investigator shall notify the complainant in writing when the investigation is concluded.

The notification may include the general results of the investigation, i.e., there was insufficient evidence to warrant disciplinary action or disciplinary action or dismissal has been recommended. Any such notification regarding the release of student or employee disciplinary information shall be subject to state and federal law and pertinent provisions of Oregon Administrative Rules.

Step III If the complainant is not satisfied with the decision at Step II, a complaint with the Board may be filed within 10 working days after receipt of the Step II 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.

Step V If the complaint is not satisfactorily settled, 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 Ave., Room 3310, Seattle, WA 98174-1099.

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

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 Teachers Standards And Practices Commission within 30 days of such a 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 by the Board chairperson.

(continued)

