

Hazing, Harassment, Intimidation, Bullying, Menacing, Cyberbullying, Teen Dating Violence, or Domestic Violence Reporting Procedures – Students

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.

Reporting Procedures

Designated ESD administrators and the Superintendent have responsibility for investigations concerning acts of hazing, harassment, intimidation, bullying, menacing, acts of cyberbullying, and incidents of teen dating violence. The investigator(s) shall be a neutral party having had no involvement in the report presented.

Any student, employee or third party who has knowledge of conduct in violation of Board policy or feels they have been a victim of hazing, harassment, intimidation, bullying, menacing, cyberbullying, or teen dating violence in violation of Board policy or this administrative regulation is encouraged to immediately report concerns to the ESD designated administrator.

Reports of suspected domestic violence will be reported to the appropriate agencies.

All other reports will be investigated in accordance with the following procedures:

- Step 1 Any reports or information on acts of hazing, harassment, intimidation, bullying, menacing, cyberbullying, or incidents of teen dating violence (e.g. complaints, rumors) shall be presented to the designated ESD administrator or Superintendent. Reports against the ESD administrator shall be filed with the Superintendent. Information may be presented anonymously. Reports against the Superintendent 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 ESD official receiving the report shall promptly investigate. Parents will be notified of the nature of any complaint involving their student. The ESD official will arrange such meetings as may be necessary with all concerned parties within five working days after receipt of the information or report. 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 ESD official(s) conducting the investigation shall notify the person making the report within 10 working days of receipt of information or report, and parents as appropriate, in writing when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined.

A copy of the notification letter or the date and details of notification to the person making the report, together with any other documentation related to the incident, including disciplinary action taken or recommended, shall be forwarded to the Superintendent.

- Step 3 If the person making the report is not satisfied with the decision at Step 2, they 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 person making the report and other affected parties as deemed necessary to discuss the appeal. The Superintendent or designee shall provide a written decision to the appeal within 10 working days.
- Step 4 If the person making the report is not satisfied with the decision at Step 3, a written appeal may be filed with the Board. Such appeal must be filed within 10 working days after receipt of the Step 3 decision. The Board shall, within 30 working days of a scheduled meeting, conduct a hearing at which time the person making the report shall be given an opportunity to present the information or report. The Board shall provide a written decision to the person making the report within 30 working days following completion of the hearing.

The Board may hold the hearing in executive session if legal requirements are met.

The decision of the Board will be final, except for possible appeal to appropriate courts or state agencies, such as Oregon Department of Education, Office of Civil Rights, as provided by law.

Reports against the Superintendent should be referred to the Board Chair on behalf of the Board. The Board Chair shall present the report to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within 30 working days of a scheduled meeting, in open session what action, if any, is warranted.

Reports against the Board as a whole or against an individual Board member should be made to the Board Chair on behalf of the Board. The Board Chair shall present the report to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within 30 working days of a scheduled meeting, in open session what action, if any, is warranted.

Reports against the Board Chair may be made directly to the ESD counsel or Board Vice-Chair on behalf of the Board. The ESD counsel or Board Vice-Chair shall present the report to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within 30 working days of a scheduled meeting, in open session what action, if any, is warranted.

The number of days given at each level shall be regarded as a maximum and every effort will be made to expedite the process. Timelines may be extended upon written agreement between both parties. This also applies to reports filed against the superintendent or any Board member.

Direct complaints of discriminatory harassment 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.

Direct complaints of discriminatory harassment related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 Second Ave., Room 3310, Seattle, WA 98174-1099.

Documentation related to the incident may be maintained as a part of the student's education records. Additionally, a copy of all hazing, harassment, intimidation, bullying, menacing, cyberbullying, and incidents of teen dating violence and documentation will be maintained as a confidential file in the ESD office.