

**BEND-LA PINE SCHOOLS**

Administrative School District No. 1

Deschutes County, Oregon

**ADMINISTRATIVE REGULATION**

Name: Sexual Harassment Complaints

Section: Student / Personnel

Code: JBAA/GBNA-AR

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Building principals and the superintendent has responsibility for investigations concerning sexual harassment complaints. The investigator(s) shall be a neutral party having had no involvement in the complaint presented.

All complaints will be investigated in accordance with the following procedures:

**Step I** Any sexual harassment complaint shall be presented to the building principal, compliance officer, or superintendent. A student may also report concerns to a teacher, counselor or school nurse, who will promptly notify the appropriate district official. Complaints against the building principal shall be filed with the superintendent. Complaints against the superintendent shall be filed with the Board chairman. All such information will be reduced to writing and will include the specific nature of the offense and corresponding dates. The report may be made anonymously.

**Step II** The district official receiving the complaint shall promptly investigate. Parents will be notified of the nature of any complaint involving their student. The district official will arrange such meetings as may be necessary with all concerned parties within 10 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 district official(s) conducting the investigation shall notify the complainant and parents as appropriate when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined.

**Step III** If the complainant is not satisfied with the decision at Step II, he/she may submit a written appeal to the superintendent or designee. Such appeal must be filed within 10 working days after receipt of the Step II decision. The superintendent or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The superintendent or designee shall provide a written decision to the complainant's appeal within 10 working days.

Nothing in this procedure shall limit the authority of the superintendent to resolve any matter through informal processes while the formal process is being followed.

Direct complaints related to educational programs and services may be made to the U.S. Department of Education, Office for Civil Rights. 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 of any resulting disciplinary action taken against a student or employee may be maintained as a part of the student's education records or employee's personnel file.

Students whose behavior is found to be in violation of this policy will be subject to discipline, up to and including expulsion. The district may also file a request with the Oregon Department of Transportation to suspend the driving privileges or the right to apply for driving privileges of a student 15 years of age or older who has been suspended or expelled at least twice for menacing another student or employee, willful damage or injury to district property or for the use of threats, intimidation, harassment or coercion. Staff whose behavior is found to be in violation of this policy will be subject to discipline, up to and including dismissal. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the superintendent or Board.

Individuals may also be referred to law enforcement officials. Staff will be reported to Teacher Standards and Practices Commission, as provided by OAR 584-020-0041.

A copy of board policy JBAA/GBNA shall be provided to the complainant at the time the school or worksite first discovers that the person may have experienced an act of sexual harassment.

Reviewed: 3.16.09, 11/08/10

Approved: 11/08/10