

OSBA Model Sample Policy

Code: JFCF-AR
Revised/Reviewed: 4/24/00

[Hazing,]Harassment, Intimidation, Bullying, [Menacing,]Bullying, Cyberbullying, and-or Teen Dating Violence Complaint Reporting Procedures – Student (Version 2)

The ^{principal} [employee position title(s)]¹ [has] [have] responsibility for investigations concerning acts of [hazing,]harassment, intimidation or 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 complaint report presented.

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

Step 1 Any reports or information on acts of [hazing,]harassment, intimidation or bullying, [menacing,]acts of cyberbullying and-or incidents of teen dating violence information (e.g., complaints, rumors, etc.) shall be presented to the [employee position title]. Complaints Reports against the principal shall be filed with the superintendent. Complaints 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 district official ^{principal} [employee position title] receiving the complaint report shall promptly investigate. Parents will be notified of the nature of any complaint report involving their student. The district official ^{principal} [employee position title] will arrange such meetings as may be necessary with all concerned parties within (five) working days after receipt of the information or complaint report. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the complaint report will be reduced to writing. The district official(s) ^{principal} [employee position title] conducting the investigation shall notify the complainant person making the report within (10) working days of receipt of the information or report, and parents as appropriate, (in writing) when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined.

⁴A copy of the notification letter or the date and details of notification to the complainant 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.³

Step 3 If the complainant person making the report is not satisfied with the decision at Step 2, he/she 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 complainant person making the report and other affected

¹ Required by ORS 339.356(2)(g). Other bracketed language regarding hazing and menacing exceeds the requirements of ORS 339.356 and is under Board authority ORS 332.107.

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.

Step 4 If the complainant 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 20 working days, conduct a hearing at which time the complainant person making the report shall be given an opportunity to present the complaint report. The Board shall provide a written decision to the complainant person making the report within 10 working days following completion of the hearing.

Complaints Reports against the superintendent should be referred to the Board chair on behalf of the Board. The Board chair shall present the complaint 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 20 days, 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 20 days, in open session what action, if any, is warranted.

Reports against the Board chair may be made directly to the district counsel vice Board chair on behalf of the Board. The district counsel 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 20 days, in open session what action, if any, is warranted.

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 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 reported acts of [hazing,]harassment, intimidation or bullying, [menacing,] acts of or cyberbullying, and or incidents of teen dating violence complaints and documentation will be maintained as a confidential file in the district office.]