

JUNCTION CITY SCHOOL DISTRICT

REGULATION: HARASSMENT / INTIMIDATION / MENACING / BULLYING / CYBERBULLYING COMPLAINT PROCEDURES - STAFF

CODE: GBNA-R

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

1. Definitions

- 1.1 “Third Parties include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors or others engaged in District business, such as employees of businesses or organizations participating in cooperative work programs with the District, and others not directly subject to District control at interdistrict and intradistrict athletic competitions or other school events.
- 1.2 “District” includes District facilities, District premises, and nondistrict property if the employee is at any District-sponsored, District-approved, or District-related activity or function, such as field trips or athletic events where the employee is engaged in District business.
- 1.3 “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, color, religion, sex, sexual orientation, national origin, marital status, familial status, source of income, or disability.
- 1.4 “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.
- 1.5 “Menacing” includes, but is not limited to, any act intended to place a District employee, student or third party in fear of imminent serious physical injury.
- 1.6 “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 otherwise harms, insults, or humiliates another in a deliberate, repeated, or hostile and unwanted manner under a person’s true or false identity. In addition, any communication of this form which substantially disrupts or prevents a safe and positive educational or working environment may also be considered Cyberbullying. Staff will refrain from using personal communication devices or District equipment to harass or stalk another person.

2. Retaliation/False Charges

- 2.1 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.

3. Complaint Procedures

- 3.1 Building principals, the District Special Projects Director, and the Superintendent have responsibility for investigations concerning harassment, intimidation, menacing, bullying and acts of cyberbullying. The investigator(s) shall be a neutral party having had no involvement in the complaint presented.

- 3.2 Any employee or third party who has knowledge of conduct in violation of this policy or Board policy JFCF – Harassment / Intimidation / Bullying / Menacing / Cyberbullying / Teen Dating Violence - Student shall immediately report his/her concerns to a designated District official.
- 3.3 Any employee or third party who has knowledge of conduct in violation of Board policy or feels he/she has been harassed, intimidated, menaced, bullied, or cyberbullied in violation of Board policy or this administrative regulation is encouraged to immediately report his/her concerns to a designated District official.
- 3.4 Complaints will be promptly investigated in accordance with the following procedures:
- Step 1 Any harassment, intimidation, menacing, bullying, or acts of cyberbullying information (complaints, rumors, etc.) shall be presented to the building principal, District Special Projects Director, or Superintendent. Complaints against the building principal shall be filed with the Superintendent. Information may be presented anonymously. Complaints 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 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 ten (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.
- A copy of the notification letter or the date and details of notification to the complainant, 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 complainant is not satisfied with the decision at Step 2, he/she may submit a written appeal to the Superintendent or designee. Such appeal must be filed within ten (10) working days after receipt of the Step 2 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 ten (10) working days.
- Step 4 If the complainant is not satisfied with the decision at Step 3, a written appeal may be filed with the Board. Such appeal must be filed within five (5) working days after receipt of the Step 3 decision. The Board shall, at their next scheduled regular or special Board meeting, 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 ten (10) working days following completion of the hearing.
- 3.5 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.
- 3.6 Documentation related to the incident may be maintained as part of the employee's personnel file.