

**SERIES 500
PERSONNEL**

Administrative Rule 512

EMPLOYEE SEXUAL HARASSMENT COMPLAINT PROCEDURES

Informal Complaint Procedures

1. Any employee who believes he/she has been subjected to sexual harassment or observes sexual harassment but who is not the direct recipient is strongly encouraged to verbally report the incident to any administrator within the district as soon after the incident as possible.
2. The administrator shall listen to all issues and concerns of the employee. A copy of the Board's employee sexual harassment policy shall be shared with the employee. The employee may request at this time to submit a written formal complaint.
3. An investigation of the complaint shall take place under the leadership of the administrator with whom the complaint was filed. The administrator shall meet with the person accused of sexual harassment to determine the level or degree, if any, of harassment. If it is determined that harassment has occurred or there is reason to do further investigation, the accused shall be given a copy of the employee sexual harassment policy, informed of the areas of concern based upon the policy, directed to stop the behavior, disciplined appropriately, and informed that any repeat of the behavior or any repercussions or attempted repercussions to the person being harassed will result in a written, formal sexual harassment charge.
4. The administrator shall meet with the complainant and share the results of the inquiry and action taken. If the complainant is not satisfied with this response, the complainant may file a written formal complaint.

The Superintendent shall be kept informed at all steps of the process. If the Superintendent is the alleged harasser, the Board President shall be kept informed.

Formal Complaint Procedures

1. The complainant may submit a written formal complaint to any administrator so that a formal investigation may take place. When receiving a complaint, the administrator shall make sure he/she understands the specific nature of the alleged sexual harassment and when and where it took place. This shall be facilitated by the administrator completing a complaint form as soon as practicable, preferably within two business days from when the complaint was filed.
2. A meeting shall be held between all concerned parties in an attempt to clarify the charges, hear the response of the accused and to attempt to settle the complaint.

3. If the complaint is not settled, the Superintendent and administrator to which the complaint was filed shall conduct an investigation, unless the circumstances prohibit their involvement. The Superintendent, administrator and/or designee shall interview both the complainant and the accused within two business days of the reported incident or as soon as practicable. The investigation shall be completed as quickly as possible and preferably within 10 business days.
4. Following the investigation, the findings and decision on the case shall be put in writing and shared through a personal conference held separately with the parties involved or together if agreed to by the complainant. The Superintendent, administrator and/or designee shall report the decision to the complainant and the accused within 15 business days of the reported incident or as soon as practicable.

Appeal Procedures

1. If either party is unsatisfied with the investigation, decision and/or resolution, he/she may make a written request to the Superintendent or Board President to appear before the Board to discuss the complaint. The complainant may be permitted to appear before the Board in executive session.
2. No later than the next regularly scheduled meeting for which this item can be properly noticed, the Board shall hear the complaint and decide whether the decision should stand or whether further investigation needs to take place.
3. If the complainant is not satisfied with the response of the Board, he/she may file a complaint with the proper legal or governmental authorities.

Confidentiality

District staff shall maintain confidentiality in dealing with sexual harassment complaints to the extent permitted by law.

Recordkeeping

One written, separate record of each complaint shall be filed by the Superintendent or, if the Superintendent is the alleged harasser, the Board President, and maintained in a secure manner, including those that are settled informally. Such records shall be kept confidential to the extent permitted by law. The destruction of such records shall be in compliance with the state records law.

Discipline and Other Action

Employees found guilty of sexual harassment, knowingly making a false accusation or retaliating against or attempting retaliatory behavior toward the complainant shall be subject to discipline including, but not limited to, a written reprimand, suspension with pay, suspension without pay, non-renewal of contract or dismissal, and/or may be required to participate in counseling or assessment by a psychologist. Found guilty of sexual harassment or retaliating against or attempting retaliatory behavior toward the complainant shall be subject to discipline including, but not limited to, detention, suspension or expulsion.

Informing Employees of Policy and Procedures

Information on policies and procedures dealing with sexual harassment shall be included in employee handbooks. All employees shall receive inservice on the policies and procedures related to sexual harassment with periodic updates.

Date of Adoption: October 15, 1997

Date of Revision by the Superintendent: March 20, 2002