

Oregon School Boards Association Selected Sample Policy

Code: **JFCF-AR**
Revised/Reviewed:

[Hazing/]Harassment/Intimidation/[Menacing/]Bullying/Cyberbullying/ Teen Dating Violence Complaint Procedures – Student (Version 2)

[Employee position title(s)¹] [has][have] responsibility for investigations concerning [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 presented.

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

- Step 1 Any [hazing,]harassment, intimidation or bullying,[menacing,] acts of cyberbullying and incidents of teen dating violence information (complaints, rumors, etc.) shall be presented to the [employee position title]. Complaints against the principal shall be filed with the superintendent. 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 [five] 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, [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 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 [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 [10] working days.

¹Required by state law House Bill 2599 (HB 2599). All other bracketed language exceeds the requirements of HB 2599 and is under Board authority ORS 332.107.

[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 [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 shall be given an opportunity to present the complaint. The Board shall provide a written decision to the complainant within [10] working days following completion of the hearing.]

Direct complaints related to educational programs and services may be made to the U.S. Department of Education, Office for Civil Rights.

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