

REEDSPORT SCHOOL DISTRICT

REGULATION: REPORTING REQUIREMENTS REGARDING SEXUAL CONDUCT WITH STUDENTS CODE: JHFF-AR

Sexual Conduct Reporting Procedures

Reedsport School District requirements regarding sexual conduct with students: Any school employee who has reasonable cause or reasonable suspicion to believe that another school employee/volunteer has engaged in sexual conduct with a student must immediately notify his/her immediate supervisor.

Definition of Sexual Conduct

Sexual Conduct is defined as any verbal or physical conduct by a school employee that:

- a. Is sexual in nature
- b. Is directed toward a K-12 student
- c. Has the effect of unreasonably interfering with a student's educational performance; and
- d. Creates an intimidating, hostile or offensive educational environment.

THE SAME CONDUCT CANNOT BE BOTH CHILD ABUSE AND SEXUAL CONDUCT UNDER THE LAW

Reporting Procedures:

The district employee shall orally report or cause an oral report to be immediately made to their building administrator. A report of sexual conduct, as opposed to child abuse, does not need to be made to a law enforcement agency or designated social services agency.

If known, such report shall contain:

- a. The names and addresses of the child, the child's parents or other persons responsible for the child;
- b. The child's age;
- c. The name of the suspected employee;
- d. The nature and extent of the suspected sexual conduct;
- e. Dates the suspected sexual conduct occurred;
- f. The name of any witnesses to the suspected sexual conduct and;
- g. Any other information that the person making the report believes might be helpful in determining if the sexual conduct occurred.

When the district receives a report of suspected sexual conduct by a district employee, the district may decide to place the employee on paid administrative leave or in a position that does not involve direct, unsupervised contact with students while conducting an investigation. The district must conduct a proper investigation that must include, at minimum, the following:

- Interview with the complainant
- Interview with the school employee who is the subject of the report; and

- Interview with witnesses

If it is determined that a report of child abuse or sexual conduct is substantiated, the school district must take the following actions:

- Inform the accused employee that a report was found to be substantiated;
- Inform the employee of the appropriate appeal process;
- Place a record of the substantiated report in the employee's personnel file, unless it is ordered stricken by an arbitrator or other appellate body.
- Inform the employee that information about substantiated reports may be disclosed to a potential employer as required by law.

Since sexual conduct may involve violations of state law, the district may report such conduct to local law enforcement. Local law enforcement may conduct an additional investigation to determine if charges would be filed against the individual.

Confidentiality of Records

House Bill 2062 includes provisions related to the information that must be provided to prospective education employers. Documents, reports and records compiled by the school district regarding an investigation of an employee around sexual conduct must be made available to any law enforcement agency, Teacher Standards and Practices Commission and any other school district that requests them. A school district may make no agreement with a union or an individual employee that effectively suppresses or conceals the fact that an employee was the subject of a substantiated report or child abuse or sexual conduct.

Failure to Comply

The school district employee who fails to report substantiated sexual conduct as required by House Bill 2062 will be subject to discipline.

Immunity from Liability

Any school district employee participating in good faith in making a report shall have immunity of liability that may be incurred while making a report and it will not adversely affect their employment.

Sexual Conduct Complaint Procedure

Date: _____

Name of employee making the report: _____

Name of person allegedly engaging in sexual conduct: _____

Name of student: _____

Student's address: _____

Parent's names: _____

Student's DOB: _____

Date and place of incident or incidents: _____

Description of sexual conduct: _____

Name of witnesses (if any): _____

Evidence of sexual conduct, i.e. letters, photos, etc. (attach evidence if possible): _____

Any additional information: _____

I agree that all the information on this form is accurate and true to the best of my knowledge.

Employee's signature: _____ Date: _____

Program Administrator (receiving this report): _____

Witness Disclosure Form

Name of witness: _____

Date of testimony/interview: _____

Description of incident witnessed: _____

Any other information: _____

I agree that all information on this form is accurate and true to the best of my knowledge.

Employee's signature: _____ Date: _____