

Student Harassment Complaint Procedure

The following procedure will be used:

1. Any complaint may be presented verbally or in writing. All complaints will be investigated. A file of the complaint, investigation, findings, and actions will be prepared and maintained by the building principal. Sexual harassment by a repeat perpetrator, repeated incidents of sexual harassment in the same building or harassment that may result in formal charges will be investigated by the superintendent or the superintendent's designee.
2. The complaint investigation will include a written record of the specific nature of the harassment, dates, witnesses, if any, and any other pertinent facts. The person making the complaint will need to provide his/her name, address, and phone number. The complainant will be requested to sign the written account of the complaint. If the complainant refuses to sign the complaint, the complaint manager will attest that the complainant refused to sign the complaint.
3. If the complainant asks that no action be taken on the complaint, the complaint manager shall record the request of the complainant and secure the signature of the complainant attesting to the fact that she/he requested no action. The complaint manager will inform the superintendent of the complainant's request that no action be taken and forward a copy of the signed statement to the Superintendent. The superintendent shall determine if further action is required. The complainant should be informed that certain sexual harassment is required to be reported to state agencies and he/she will be informed if further action must be taken.
4. If further action is required, the complaint manager shall investigate the complaint. The investigation should be conducted by an individual who is the same sex as the complainant. The complaint manager shall utilize the investigation checklist and shall conduct an interview of the alleged perpetrator and all witnesses identified by the complainant. A meeting to discuss the complaint with all concerned parties may be arranged within 10 working days after receipt of the complaint, if deemed necessary. The complaint manager shall give a written report to the superintendent 15 working days after receipt of the complaint. The complainant will be informed of the status of the complaint and any recommendations.
5. If the complainant is not satisfied with the response he/she may submit a written appeal to the superintendent indicating the nature of the disagreement. The appeal must be filed within 20 working days after receipt of the complaint manager's recommendations. The superintendent may schedule a meeting of all parties to the complaint if deemed necessary. The superintendent shall schedule a meeting if requested by the complainant. The superintendent shall give a written response to the complainant's appeal within 10 working days of the date the appeal is filed, or 10 working days after the meeting, whichever is later.

6. If the complainant is not satisfied with the response of the superintendent, an appeal to the School Board may be filed. The appeal must be filed within 10 working days of receipt of the superintendent's response. The School Board shall conduct a hearing within 20 working days of receipt of the appeal. The School Board shall give a written response within 10 working days of the completion of the hearing.
7. If the complainant is not satisfied with the response of the Board, he/she may file a an appeal with the State Superintendent of Public Instruction.

Alternate Procedures

The following alternate procedures will be used for younger students or students with special education needs:

Due to the potential difficulties with establishing dates, times and behavior, persons who have, or may have been harassed will be provided with counseling services as deemed appropriate to their age and handicapping condition.

A person's handicapping condition will be given consideration in any disciplinary action that may occur as a result of harassment.

Sparta Area School District

Harassment Investigation Checklist

I. Notice of Harassment

A. Informal Complaint (No Action Requested)

- Review appropriate policy with complainant
- Inform complainant of formal complaint process and that regardless of formal complaint an investigation may take place.
- Check to see if there are previous incidents involving accused person
- Notify superintendent

B. Formal Complaint (Action Requested)

- Review appropriate policy with complainant
- Advise complainant of investigation procedure and timelines
- Check to see if there are previous incidents involving accused person
- Determine if Police or Social Services should be contacted
- Notify superintendent

II. Investigation

A. Interview with the complainant/victim

- Obtain written statement with signature and date
 - include names of witnesses
 - include specifics (who, what, where, when, why, how, and how often)
- Inform complainant of next steps and timelines
- Reinforce the need for confidentiality

B. Interview Witnesses

- Obtain written statements with signature and date
- Reinforce the need for confidentiality
 - include names of witnesses
 - include specifics (who, what, where, when, why, how, and how often)

C. Interviewing the Accused

- Apprise of the right to union representation (if applicable)
- Inform of accusations and review policy
- Inform of the need to investigate, but stress your neutrality
- Present each detail of allegation and get an admission or denial
- For each admission, ask for an explanation
- For each denial, ask if accused knows of a motive for the accusation
- Offer opportunity for a written statement and follow same guidelines used for interviewing complainant
- Inform of the need for confidentiality
- Inform of investigation timelines
- State that retaliation of any type will not be tolerated and will be subject to discipline
- If the accused has witnesses, repeat the process used for interviewing complainant witnesses

III. Determination

- Compose and submit to superintendent a written determination
- Contact involved parties regarding determination
- If there is a violation of policy, take corrective action in consultation with superintendent
- Advise parties of the right to appeal the decision and the appropriate timeline
- Retain all interview notes, statements, and investigation checklist

Signature

Date Completed

Sparta Area School District

Harassment Reporting Form

1. Name and address of complainant _____

2. Reported to: _____ 3. Date: _____

4. Who was responsible for the harassment? _____

5. Describe the first incident: _____

6. How did you respond? _____

7. Date of incident: _____ 8. Witness(es): _____

9. Describe the second incident _____

10. How did you respond? _____

11. Date of incident: _____ 12. Witness(es): _____

13. Describe the third incident _____

14. How did you respond? _____

15. Date of incident: _____ 16. Witness(es): _____

17. Complainant Signature: _____

FOR ADMINISTRATIVE USE

18. Dates of investigation of complaint _____

19. Date of final report _____

20. Date of follow-up conference with complainant _____

21. Recommendation _____

