

Prohibition of Harassment, Intimidation and Bullying

Informal Complaint Process

Anyone may use informal procedures to report and resolve complaints of harassment, intimidation or bullying. At the building level, programs will be established for receiving anonymous complaints. Such complaints must be appropriately investigated and handled consistent with due process requirements. Informal reports may be made to any staff member, although staff shall always inform complainants of their right to, and the process for, filing a formal complaint. Staff shall also direct potential complainants to an appropriate staff member who can explain the informal and formal complaint processes and what a complainant can expect. Staff shall also inform an appropriate supervisor or designated staff person when they receive complaints of harassment, intimidation, or bullying, especially when the complaint is beyond their training to resolve or alleges serious misconduct.

Informal remedies include

1. An opportunity for the complainant to explain to the alleged perpetrator, either in writing or face-to-face, that the conduct is unwelcome, disruptive, or inappropriate;
2. A statement from a staff member to the alleged perpetrator that the alleged conduct is not appropriate and could lead to discipline if proven or repeated; or
3. A general public statement from an administrator in a building reviewing the district harassment, intimidation, and bullying policy without identifying the complainant.

Informal complaints may become formal complaints at the request of the complainant, parent, guardian, or because the district believes the complaint needs to be more thoroughly investigated.

Formal Complaint Process

Anyone may initiate a formal complaint of harassment, intimidation or bullying, even if the informal complaint process is being utilized. Complainants should not be promised confidentiality at the onset of an investigation. It cannot be predicted what will be discovered or what kind of hearings may result. Efforts should be made to ensure the confidence and trust of the person making the complaint. The district will fully implement the anti-retaliation provisions of this policy to protect complainant(s) and witness(es). Student complainants and witnesses may have a parent or trusted adult with them during any district-initiated investigatory activities. The superintendent or designated compliance officer (hereinafter referred to as the compliance officer) may conclude that the district needs to conduct an investigation based on information in their possession regardless of the complainant's interest in filing a formal complaint. The following process shall be followed:

1. All formal complaints shall be in writing. Formal complaints shall describe the specific acts, conditions or circumstances alleged to have occurred that may constitute harassment, intimidation, or bullying. The compliance officer may draft the complaint based on the report of the complainant, for the complainant to review and sign.
2. Regardless of the complainant's interest in filing a formal complaint, the compliance officer may conclude that the district needs to file a formal complaint based upon the information in the officer's possession.
3. The compliance officer shall investigate all formal, written complaints of harassment, intimidation, or bullying, and other information in the compliance officer's possession that the officer believes requires further investigation.

4. When the investigation is completed the compliance officer shall compile a full written report of the complaint and the outcome of the investigation. If the matter has not been resolved to the complainant's satisfaction, the superintendent shall take further action on the complaint.
5. The superintendent or designee, who is not the compliance officer, shall respond in writing to the complainant and the accused within thirty days, stating:
 - a. That the district intends to take corrective action; or
 - b. That the investigation is incomplete to date and will be continuing; or
 - c. That the district does not have adequate evidence to conclude that bullying, harassment, or intimidation occurred.
6. Corrective measures deemed necessary will be instituted as quickly as possible, but in no event more than thirty days after the superintendent's written response, unless the accused is appealing the imposition of discipline and the district is barred by due process considerations or a lawful order, from imposing the discipline until the appeal process is concluded.

Mediation between the alleged victim and the individual accused of harassment, intimidation, or bullying behavior shall not be pursued as a corrective measure unless requested by the alleged victim and agreed to by the accused individual.

7. If a student remains aggrieved by the superintendent's response, the student may pursue the complaint as one of discrimination pursuant to Policy 3210, Nondiscrimination, or a complaint pursuant to Policy 4312, Complaints Concerning Staff or Programs.

A fixed component of all district orientation sessions for employees, students, and regular volunteers shall introduce the elements of this policy. Staff shall be provided information on recognizing and preventing harassment, intimidation, or bullying. Staff shall be fully informed of the formal and informal complaint processes and their roles and responsibilities under the policy and procedures. Certificated or professionally licensed staff shall be reminded of their legal responsibility to report suspected child abuse, and how that responsibility may be implicated by some allegations of harassment, intimidation, or bullying.

Students shall be provided with age-appropriate information on the recognition and prevention of harassment, intimidation, and bullying, and their rights and responsibilities under this and other district policies, and rules during introductory (annual) student orientation sessions and on other appropriate occasions, which may include parents. Parents shall be provided with copies of this policy and procedure and appropriate materials on the recognition and prevention of harassment, intimidation, and bullying including electronically transmitted messages or images.

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