

HILLSBORO SCHOOL DISTRICT 1J BOARD OF DIRECTORS
Administration Center, 3083 NE 49th Place, Hillsboro, OR 97124

Board Meeting Agenda
January 11, 2022
5:15 PM

Please note that in light of current public health concerns related to COVID-19, members of the public are invited to watch the meeting via the link provided on the HSD homepage www.hsd.k12.or.us. The estimated times listed below for specific agenda items are subject to change.

1. **5:15 PM - Work Session**
 - A. Call to Order
Presenter: Mark Watson
Time: 5:15 PM
 - B. COVID-19 Update 3
Presenters: Cabinet
Time: 5:15 PM, 20 minutes
 - C. School Resource Officer Intergovernmental Agreement Update 4
Presenters: Casey Waletich / Francesca Sinapi
Time: 5:35 PM, 30 minutes
 - D. Equity Update 5
Presenter: Francesca Sinapi
Time: 6:05 PM, 30 minutes
 - E. Land Acknowledgement Discussion 6
Presenter: Mark Watson
Time: 6:35 PM, 10 minutes
 - F. Graduation Support Progress Update 9
Presenter: Dayle Spitzer
Time: 6:45 PM, 15 minutes
 - G. Information - Administrative Regulation Update 10
Presenter: Mike Scott
Time: 7:00 PM, 5 minutes
 1. BDDH-AR: Public Comment at Board Meetings 11
Presenter: Mike Scott
 2. GBNA-AR: Hazing, Harassment, Intimidation, Bullying, Menacing or Cyberbullying Reporting Procedures - Staff 13
Presenter: Kona Lew-Williams
 3. GBNAA/JHFF-AR: Suspected Sexual Conduct Report Procedures and Form 17
Presenter: Kona Lew-Williams
 4. JHFF/GBNAA-AR: Suspected Sexual Conduct Report Procedures and Form 22
Presenter: Dayle Spitzer
 5. GBNAB/JHFE-AR(2): Abuse of a Child Investigations Conducted on District Premises 27
Presenter: Kona Lew-Williams
 6. JHFE/GBNAB-AR(2): Abuse of a Child Investigations Conducted on District Premises 28
Presenter: Dayle Spitzer

- H. Discussion Time
 - Time: 7:05 PM, 15 minutes
 - Student Reps
 - Superintendent
 - Board Members
- I. Recess Board Meeting
 - Presenter: Mark Watson
 - Time: 7:20 PM
- J. Next Meetings of the Board of Directors
 - January 25, 2022 Board Work / Regular Session
 - February 8, 2022 Board Work Session

The complete Board meeting packet may be downloaded from the District website at: <https://www.hsd.k12.or.us/board>.

HILLSBORO SCHOOL DISTRICT 1J
January 11, 2022
COVID-19 UPDATE

SITUATION

The Board of Directors will receive an update regarding the ongoing COVID-19 pandemic.

RECOMMENDATION

The Superintendent recommends that the Board of Directors listen to the information and ask any questions they may have.

HILLSBORO SCHOOL DISTRICT 1J
January 11, 2022
SCHOOL RESOURCE OFFICER INTERGOVERNMENTAL AGREEMENT UPDATE

SITUATION

The Board will receive an update on the implementation of the School Resource Officer (SRO) Intergovernmental Agreement (IGA) and the progress this school year. The presentation will include:

- Overview
- Review of Goals
- Training Overview and Calendar
- Monthly Activity Data Collection Overview

RECOMMENDATION

The Superintendent recommends that the Board of Directors listen to the update and ask any questions they have.

HILLSBORO SCHOOL DISTRICT 1J
January 11, 2022
EQUITY UPDATE

SITUATION

The Board has been engaged in diversity, equity, and inclusion work for the past several years. The Board will receive updates on our district work focused on equity, access and engagement with an understanding of key concepts as it pertains to their lived experiences through the lens of race, ethnicity, and culture and in line with the work being done in HSD.

RECOMMENDATION

The Superintendent recommends that the Board of Directors listen for understanding and fully engage in this opportunity.

**Hillsboro School District
January 11, 2022
LAND ACKNOWLEDGEMENT DISCUSSION**

SITUATION

The Board will discuss the proposed edits to the Land Acknowledgement that is currently being read at the beginning of regular session Board meetings.

RECOMMENDATION

The Superintendent recommends that the Board of Directors review and discuss the Proclamations draft and Land Acknowledgement.

**HILLSBORO SCHOOL DISTRICT 1J
BOARD OF DIRECTORS 2021-2022
LAND ACKNOWLEDGEMENT**

As we gather here today, even in this virtual setting, we would like to take a moment to acknowledge that our district service area is on the occupied traditional homelands of the Atfalati Indigenous people, lands we now call Washington County and the State of Oregon.

We thank them and their ancestors for being the original stewards of this land. We take this opportunity to offer gratitude for the opportunity to learn, work, and be a community on this land.

We also acknowledge the systemic policies of colonization that have led to genocide, relocation and assimilation that have impacted Indigenous and Native families, both past and present, and those who will be affected in the future.

According to Kalapuya tradition, people have lived here since time immemorial. Indigenous people still live here today, having persevered through US sponsored war displacement, genocide, and oppression.

We honor the Indigenous people whose traditional and ancestral homelands we stand on: the Tualatin Kalapuya, Kathlamet, Clackamas, Tumwater, Molalla, bands of the Chinook and many other indigenous nations of the Columbia River.

We believe it is important to acknowledge the ancestors of this place and to recognize that we are here because of the sacrifices forced upon them.

In remembering these communities, we honor their legacy, their lives, and their ancestors. We also recognize the urban Indigenous/Native/First Peoples community living in the metro area, which includes over 400 tribal nations.

HILLSBORO SCHOOL DISTRICT 1J
BOARD OF DIRECTORS 2021-2022
LAND ACKNOWLEDGEMENT
REVISED

As we gather here today, we would like to take a moment to acknowledge that our district service area is on the occupied traditional homelands of the Atfalati Indigenous people, lands we now call Washington County and the State of Oregon.

We honor the Indigenous people whose traditional and ancestral homelands we stand on the Tualatin Kalapuya, Kathlamet, Clackamas, Tumwater, Molalla, bands of the Chinook and many other Indigenous nations of the Columbia River.

In remembering these communities, we honor their legacy, their lives, and their ancestors. We also recognize the urban Indigenous/Native/First Peoples community living in the metro area, which includes over 400 tribal nations.

The Hillsboro School District is committed to the recognition and education regarding tribal and local history and working with our local tribes in partnership.

HILLSBORO SCHOOL DISTRICT 1J
January 11, 2022
GRADUATION SUPPORT PROGRESS UPDATE

SITUATION

As we returned to full time instruction in brick and mortar schools this fall, we began identifying students who were on track for graduation and those that may need additional supports. We would like to update the Board on our efforts including preliminary data for this year's progress with students. Additionally, potential long-term impacts of Covid on our students' experiences and our plans for response will be shared.

RECOMMENDATION

The Superintendent recommends that the Board of Directors listen to the report and ask any questions they have.

HILLSBORO SCHOOL DISTRICT 1J
January 11, 2022
INFORMATION – ADMINISTRATIVE REGULATION UPDATE

SITUATION

Updated administrative regulations (ARs) that do not require Board action will be posted in the Board meeting packet for the information of the Board, staff members, and the public.

Policy language must meet the following criteria:

1. Legally mandated or legally wise
2. Harmonize with District's existing collective bargaining agreements
3. Reflect current District practice

The following administrative regulation (AR) has proposed changes:

- BDDH-AR: Public Comment at Board Meetings
- GBNA-AR: Hazing, Harassment, Intimidation, Bullying, Menacing or Cyberbullying Reporting Procedures – Staff
- GBNAA/JHFF-AR: Suspected Sexual Conduct Report Procedures and Form
- JHFF/GBNAA-AR: Suspected Sexual Conduct Report Procedures and Form
- GBNAB/JHFE-AR(2): Abuse of a Child Investigations Conducted on District Premises
- JHFE/GBNAB-AR(2): Abuse of a Child Investigations Conducted on District Premises

RECOMMENDATION

The Superintendent recommends that the Board of Directors review the updated administrative regulations.



Code: BDDH-AR
Revised/Reviewed: 12/17; 1/22/19; 10/27/20

Public Comment at Board Meetings

To make a comment or present a topic during public comment, if the opportunity is available on the Board agenda and at the Board's discretion, please complete an Intent to Speak card and submit it to the Board secretary before the Board chair convenes the session. Those attending virtually and want to provide public comment should notify the Executive Assistant to the Board Directors Rose Roman by submitting an email to romanr@hsd.k12.or.us [as directed] prior to the start of the meeting. Signing up to provide public comment does not guarantee time will be available.

Any person speaking to the Board during a meeting should state their name and, if speaking for an organization, the name of the organization. An individual who has submitted an Intent to Speak card and has been invited to speak will be allowed up to three minutes, upon the Board's discretion. In the event that a district staff member is utilized to provide translation, the speaker may receive up to six minutes, at the Board's discretion. Priority to speak will be given to students, parents (or guardians) of students, and community members, at the Board's discretion. A spokesperson should be designated to represent a group with a common purpose. The Board requests that a public comment add information or a perspective that has not already been mentioned previously, and that the patron refrains from repeating a similar point.

~~Please keep in mind that reference to~~ Comments about a specific employee or group of employees is prohibited, as follows:

A person speaking during the designated portion of the agenda for public comment ~~Speakers~~ may offer objective criticism of district operations and programs, but in public sessions, the Board will not hear comments regarding any individual district staff member or group of employees. The Board chair will direct the visitor to the procedures in Board policy KL – Public Complaints for ~~Board~~ consideration of a legitimate complaint involving a staff member, and will connect the visitor with an administrator, as appropriate. ~~Any~~ hearing conducted before the Board regarding personnel ~~shall~~ ~~may~~ take place in an executive session.

A commendation involving a staff member should be sent to the superintendent.

SEE FORM ON REVERSE

Intent to Speak Card

The Board welcomes your input. **To provide in-person public comment, please submit this completed card to the Board secretary before the Board chair convenes the session.**

Name _____ Date: _____

Email Address _____ Telephone Number _____

Representing _____
(Name of group, self, or organization)

I am an: HSD Student HSD Parent HSD Staff Member Other _____

I WISH TO ADDRESS THE BOARD REGARDING THE FOLLOWING:

INDICATE YOUR POSITION ON THIS MATTER: *In favor* *Opposed*

A complaint brought before the Board shall be referred to the proper school authorities. A complaint shall be processed in accordance with Board policy KL - Public Complaints and KL-AR - Public Complaints Procedure. A hearing conducted by the Board regarding personnel may take place in an executive session.

The Board requests that a topic or comment is limited to three minutes or less.

Corrected 10/21/21



Code: **GBNA-AR**
Revised/Reviewed: 3/14/17; 4/30/19
Orig. Code: GBNA-AR

Hazing, Harassment, Intimidation, Bullying, Menacing, or Cyberbullying Reporting Procedures – Staff

The following definitions and procedures shall be used for reporting, investigating, and resolving reports of hazing, harassment, intimidation, bullying, cyberbullying, and menacing of staff or third parties.

Definitions

1. “Third parties” include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors, or others engaged in District business, such as employees of businesses or organizations participating in cooperative work programs with the District, and others not directly subject to District control at inter-district and intra-district athletic competitions or other school events.
2. “District” includes District facilities, District premises, and non-District property if the student or employee is at any District-sponsored, District-approved, or District-related activity or function, such as field trips or athletic events where students are under the control of the District, or where the employee is engaged in District business.
3. “Hazing” includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health, or safety of a staff member for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any District-sponsored work activity, work group or work assignment, or other such activities intended to degrade or humiliate regardless of the person’s willingness to participate.
4. “Harassment” is unwelcome conduct that is based on race, color, religion, sex (including pregnancy), sexual orientation, **gender identity**[†], national origin, age (40 or older), disability or genetic information. Harassment becomes unlawful when a) enduring the offensive conduct becomes a condition of continued employment, or b) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.
5. “Intimidation” includes, but is not limited to, any threat or act intended to tamper, substantially damage, or interfere with another’s property, cause substantial inconvenience, subject another to

[†]“Sexual orientation” means an individual’s actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual’s gender identity, appearance, expression or behavior differs from that traditionally associated with the individual’s sex at birth.

offensive physical contact, or inflict serious physical injury on the perception of the other's race, religion, color, national origin, disability, ~~or~~ sexual orientation or gender identity.

6. "Cyberbullying" is the use of any electronic device to convey a message in any form (e.g., text, image, audio, or video) that defames, intimidates, harasses, or otherwise harms, insults, or humiliates another in a deliberate, repeated, or hostile and unwanted manner under a person's true or false identity. Any communication of this form which substantially disrupts or prevents a safe and positive educational or working environment may also be considered cyberbullying.
7. "Bullying" is a pattern of repeated mistreatment that harms, intimidates, undermines, offends, degrades, or humiliates an employee.
8. "Menacing" includes, but is not limited to, any act intended to place a District employee, student, or third party in fear of imminent serious physical injury.

Reporting Procedures

The building principals, supervisors, and the assistant superintendent of human resources have responsibility for investigations concerning reports of hazing, harassment, intimidation, bullying, cyberbullying, or menacing of staff or third parties. The investigator(s) shall be a neutral party having had no involvement in the report presented.

Any employee or third party who has knowledge of conduct in violation of Board Policy JFCF - Hazing, Harassment, Intimidation, Menacing, Bullying, Cyberbullying, Teen Dating Violence, or Domestic Violence - Student shall immediately report concerns to the building principal or supervisor.

Any employee or third party who has knowledge of conduct in violation of Board policy GBNA – Hazing, Harassment, Intimidation, Bullying, Menacing, or Cyberbullying – Staff and this administrative regulation or feels they have been hazed, harassed, intimidated, bullied, cyberbullied, or menaced in violation of Board policy or this administrative regulation ~~policy~~ shall immediately report concerns to the designated District official.

All reports and information will be promptly investigated in accordance with the following procedures:

- Step 1 Any reports or information on acts of hazing, harassment, intimidation, bullying, cyberbullying, or menacing (e.g., complaints, rumors) shall be presented to the building principal or supervisor. Reports against the building principal shall be filed with the chief human resources officer. Reports against the Superintendent shall be filed with the Board chair. Information may be presented anonymously. All such information will be conveyed in writing and will include the specific nature of the offense and corresponding dates.
- Step 2 The District official receiving the report shall promptly investigate. Parents will be notified of the nature of any report involving their student. The District official will arrange such meetings as may be necessary with all concerned parties within 10 working days after receipt of the information or report. The parties will have an opportunity to submit evidence and a list of witnesses. All findings conveyed in the report will be communicated in writing. The District official(s) conducting the investigation shall notify the person making the report within 15 working days of receipt of the information or report, 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 person making the report, together with any other documentation related to the incident, including disciplinary action taken or recommended, shall be forwarded to the Superintendent or designee.]

Step 3 If the person making the report is not satisfied with the decision at Step 2, the complainant 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 person making the report and other affected parties as deemed necessary to discuss the appeal. The Superintendent or designee shall provide a written decision to the appeal within 15 working days.

Step 4 If the person making the report 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 will review the findings and conclusion of the Superintendent or designee in a public meeting to determine what action is appropriate. Appropriate action may include, but is not limited to, holding a hearing, requesting additional information, or adopting the Superintendent's or designee's decision as the district's final decision. The Board may, within ~~30~~ 20 working days, conduct a hearing ~~at which time the person making the report shall be given an opportunity to present the information or report.~~ If the Board conducts a hearing, the complainant shall be given an opportunity to present the appeal at a Board meeting. The Board may hold the hearing in executive session if the subject matter qualifies under Oregon law. The parties involved may be asked to attend such hearing for the purposes of making further explanations and clarifying the issues. The Board shall provide a written decision to the person making the report within 10 working days following completion of the hearing.

If the Board decides not to hear the report, the ~~superintendent's~~ decision reached in Step 3 is final.

Timelines may be extended upon written agreement between both parties. This applies to reports filed against the superintendent or any Board member.

Reports against the superintendent should be referred to the Board chair on behalf of the Board. The Board chair shall present the report to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within 30 days, in open session what action, if any, is warranted.

Reports against the Board as a whole or against an individual Board member should be made to the Board chair on behalf of the Board. The Board chair shall present the report to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within 30 days, in open session what action, if any, is warranted.

Reports against the Board chair may be made directly to the Board vice chair on behalf of the Board. **The Board vice chair shall present the report to the Board.** If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within 30 days, in open session what action, if any, is warranted.

Direct complaints of discriminatory harassment related to employment may be filed with the Oregon Bureau of Labor and Industries, Civil Rights Division or the U.S. Department of Labor, Equal Employment Opportunities Commission.

Documentation related to the incident may be maintained as a part of the employee's personnel file. Additionally, a copy of all reported acts of hazing, harassment, intimidation, bullying, menacing, or cyberbullying and documentation will be maintained as a confidential file in the District office.

Corrected 10/21/21; Corrected 12/07/21



Code: GBNAA/JHFF-AR
Revised/Reviewed: 12/08/20
Orig. Code: GBNAA/JHFF-AR

Suspected Sexual Conduct Report Procedures and Form

~~When the designee receives a report of suspected sexual conduct that may have been committed by a person licensed¹ through Teacher Standards and Practices Commission (TSPC), the designee shall notify TSPC as soon as possible. When the designee receives a report of suspected sexual conduct that may have been committed by a person who is not licensed through TSPC, the designee shall notify the Oregon Department of Education (ODE) as soon as possible.~~

The district posts in each school building the names and contact information of the **district** employees^{2} designated for the respective³ ~~in each~~ school building ~~designated~~ to receive reports of suspected sexual conduct and the procedures the designee(s) will follow upon receipt of the report.

When a designated licensed administrator⁴ receives a report of suspected sexual conduct that may have been committed by a commission licensee⁵, the designee shall notify Teacher Standards and Practices Commission (TSPC). The designee shall notify the Oregon Department of Education (ODE) if the administrator receives a report of suspected sexual conduct that may have been committed by a school employee, contractor, agent or volunteer that is not a commission licensee.

If the superintendent is the alleged perpetrator the report shall be submitted to the Human Resources Officer who shall refer the report to the Board chair.

~~¹ “License” includes a license, registration or certificate issued by the Teacher Standards and Practices Commission.~~

² {ORS 339.372 requires the district to post the names and contact information of the persons, i.e., a licensed administrator and an alternate licensed administrator, who are designated to receive reports of sexual conduct for a school building, in the respective school building. A “licensed administrator” is a person employed as an administrator by the district and holds an administrative license issued by TSPC or may be a person employed by the district that does not hold an administrative license issued by TSPC if the district does not require the administrator to be licensed by TSPC.}

~~³ Senate Bill 155 (2019) requires the district to designate a licensed administrator and an alternate licensed administrator for each school building.~~

⁴ A “licensed administrator” is a person employed as an administrator by the district and holds an administrative license issued by TSPC or may be a person employed by the district that does not hold an administrative license issued by TSPC if the district does not require the administrator to be licensed by TSPC.

⁵ “Commission licensee,” as is defined in ORS 342.120 (as amended by HB 2136 (2021)), means a person whom the TSPC has authority to investigate or discipline because the person is enrolled in an approved educator preparation program, is an applicant for a TSPC license or registration, holds a license or registration issued by TSPC, or has held a license or registration issued by the TSPC at any time during the previous five years.

The district will investigate all reports of suspected sexual conduct, unless otherwise requested by TSPC or ODE as appropriate.

When the designee receives a report of suspected sexual conduct by a district employee, and there is reasonable cause to support the report, the district shall place the district employee on paid administrative leave⁶ and take necessary actions to ensure the student's safety. The employee shall remain on leave until TSPC⁷ or ODE⁸ determines that the report is substantiated and the district takes appropriate employment action against the employee, or cannot be substantiated or is not a report of sexual conduct and the district determines either: 1) an employment policy was violated and the district will take appropriate employment action against the employee; or 2) an employment policy has not been violated and an employment action against the employee is not required. ~~The district will investigate all reports of suspected sexual conduct by persons who are licensed by the TSPC, unless otherwise requested by TSPC, and all reports of suspected sexual conduct by persons who are not licensed by TSPC, unless otherwise requested by ODE.~~

When the designee receives a report of suspected sexual conduct by a contractor⁹, an agent or a volunteer, the district shall prohibit the contractor, agent or volunteer from providing services to the district. ~~If the district determines there is reasonable cause to support a report of suspected sexual conduct, the district shall prohibit the contractor, agent or volunteer from providing services.~~ The district may reinstate the contractor, agent or volunteer, and such reinstatement may not occur until such time as a report of suspected sexual conduct has been investigated and a determination has been made by TSPC or ODE, ~~as appropriate~~, that the report is unsubstantiated.

Upon request from ODE or TSPC the district will provide requested documents or materials to the extent allowed by state and federal law.

The name, address and other identifying information about the employee who made the report are confidential and are not accessible for public inspection.

An "investigation" means a detailed inquiry into the factual allegations of a report of suspected sexual conduct that is based on interviews with the person who initiated the report, the person who may have been subjected to sexual conduct, witnesses and the person who is the subject of the report, and results in a finding that the report is a substantiated report, cannot be substantiated, or is not a report of sexual conduct. If the subject of the report is a district employee represented by a contract or a collective bargaining agreement, the investigation must meet any negotiated standards of such employment contract or agreement.

Nothing prevents the district from conducting its own investigation, unless another agency requests to lead the investigation or requests the district to suspend ~~their~~the investigation, or taking an employment action based on information available to the district before an investigation conducted by another agency is completed. The district will cooperate with agencies assigned to conduct such investigations.

⁶ The district employee cannot be required to use any accrued leave during the imposed paid administrative leave.

⁷ TSPC investigates reports on commission licensees.

⁸ ODE investigates reports on persons who are not commission licensees.

~~⁹ The district is encouraged to duplicate this language in the contract. If the contract is with a company and the person assigned to do the work is the alleged perpetrator, the district shall notify the company and request another company employee be assigned to complete the work.~~

A “substantiated report” means a report of sexual conduct that TSPC or ODE determines is founded.

If, following the investigation, the district decides to take an employment action, the district will inform the district employee of the employment action to be taken and provide information about the appropriate appeal process. The employee may appeal the employment action taken through the appeal process provided by the applicable collective bargaining agreement.

If the district is notified that the employee decided not to appeal the employment action or if the determination of an appeal sustained the employment action, the district shall create a record of the findings of the substantiated report and the employment action taken by the district will be placed in the records on the school employee maintained by the district. Such records created are confidential and not public records as defined in Oregon Revised Statute (ORS) 192.311, however the district may use the record as a basis for providing information required to be disclosed about a district employee under ORS 339.378(1). The district will notify the employee that information about substantiated reports may be disclosed to a potential employer.

Training

The district shall provide **information and** training each school year to district employees on the following:

1. Prevention and identification of sexual conduct;
2. Obligations of district employees under ORS 339.388 and 419B.005 - 419B.050 and under adopted board policies to report suspected sexual conduct; and
3. Appropriate electronic communications with students.

The district shall make available each school year the training described above to contractors, agents, volunteers and to parents and legal guardians of students attending district-operated schools, and will be made available separately from the training provided to district employees.

The district shall provide to contractors, agents and volunteers each school year information on the following:

1. Prevention and identification of sexual conduct;
2. Obligations of district employees under adopted board policies to report suspected sexual conduct; and
3. Appropriate electronic communications with students.

The district shall make available each school year training that is designed to prevent sexual conduct to students attending district-operated schools.



Suspected Sexual Conduct Report Form	
Name of person making report:	
Position / Role of person making report:	
Phone:	Email:
Name of person suspected of sexual conduct:	
Date and place of incident or incidents:	
Description of suspected sexual conduct:	
Name of witnesses (if any):	
Evidence of suspected sexual conduct, e.g., letters, photos, etc. (attach evidence, if possible):	
Any other information:	
I agree that all of the information on this form is accurate and true to the best of my knowledge.	
Signature:	Date:



WITNESS STATEMENT FORM

NAME OF WITNESS:	POSITION OF WITNESS:
DATE OF TESTIMONY/INTERVIEW:	INCIDENT LOCATION:
OTHER WITNESSES:	

DESCRIPTION OF INSTANCE WITNESSED: (WRITE ONLY WHAT WAS OBSERVED - INCLUDE DESCRIPTION OF WHO, WHERE, WHEN)

ANY ADDITIONAL INFORMATION:

I AGREE THAT ALL OF THE INFORMATION ON THIS FORM IS ACCURATE AND TRUE TO THE BEST OF MY KNOWLEDGE.

SIGNATURE: _____ **DATE:** _____

ATTACH ADDITIONAL PAGES AS NEEDED

Corrected 10/21/21



Code: JHFF/GBNAA-AR
Revised/Reviewed: 12/08/20
Orig. Code: JHFF/GBNAA-AR

Suspected Sexual Conduct Report Procedures and Form

~~When the designee receives a report of suspected sexual conduct that may have been committed by a person licensed¹ through Teacher Standards and Practices Commission (TSPC), the designee shall notify TSPC as soon as possible. When the designee receives a report of suspected sexual conduct that may have been committed by a person who is not licensed through TSPC, the designee shall notify the Oregon Department of Education (ODE) as soon as possible.~~

The district posts in each school building the names and contact information of the **district** employees^{2} designated for the respective³ ~~in each~~ school building ~~designated~~ to receive reports of suspected sexual conduct and the procedures the designee(s) will follow upon receipt of the report.

When a designated licensed administrator⁴ receives a report of suspected sexual conduct that may have been committed by a commission licensee⁵, the designee shall notify Teacher Standards and Practices Commission (TSPC). The designee shall notify the Oregon Department of Education (ODE) if the administrator receives a report of suspected sexual conduct that may have been committed by a school employee, contractor, agent or volunteer that is not a commission licensee.

If the superintendent is the alleged perpetrator the report shall be submitted to the Human Resources Officer who shall refer the report to the Board chair.

~~¹ "License" includes a license, registration or certificate issued by the Teacher Standards and Practices Commission.~~

² {ORS 339.372 requires the district to post the names and contact information of the persons, i.e., a licensed administrator and an alternate licensed administrator, who are designated to receive reports of sexual conduct for a school building, in the respective school building. A "licensed administrator" is a person employed as an administrator by the district and holds an administrative license issued by TSPC or may be a person employed by the district that does not hold an administrative license issued by TSPC if the district does not require the administrator to be licensed by TSPC.}

~~³ Senate Bill 155 (2019) requires the district to designate a licensed administrator and an alternate licensed administrator for each school building.~~

⁴ A "licensed administrator" is a person employed as an administrator by the district and holds an administrative license issued by TSPC or may be a person employed by the district that does not hold an administrative license issued by TSPC if the district does not require the administrator to be licensed by TSPC.

⁵ "Commission licensee," as is defined in ORS 342.120 (as amended by HB 2136 (2021)), means a person whom the TSPC has authority to investigate or discipline because the person is enrolled in an approved educator preparation program, is an applicant for a TSPC license or registration, holds a license or registration issued by TSPC, or has held a license or registration issued by the TSPC at any time during the previous five years.

The district will investigate all reports of suspected sexual conduct, unless otherwise requested by TSPC or ODE as appropriate.

When the designee receives a report of suspected sexual conduct by a district employee, and there is reasonable cause to support the report, the district shall place the district employee on paid administrative leave⁶ and take necessary actions to ensure the student's safety. The employee shall remain on leave until TSPC⁷ or ODE⁸ determines that the report is substantiated and the district takes appropriate employment action against the employee, or cannot be substantiated or is not a report of sexual conduct and the district determines either: 1) an employment policy was violated and the district will take appropriate employment action against the employee; or 2) an employment policy has not been violated and an employment action against the employee is not required. ~~The district will investigate all reports of suspected sexual conduct by persons who are licensed by the TSPC, unless otherwise requested by TSPC, and all reports of suspected sexual conduct by persons who are not licensed by TSPC, unless otherwise requested by ODE.~~

When the designee receives a report of suspected sexual conduct by a contractor⁹, an agent or a volunteer, the district shall prohibit the contractor, agent or volunteer from providing services to the district. ~~If the district determines there is reasonable cause to support a report of suspected sexual conduct, the district shall prohibit the contractor, agent or volunteer from providing services.~~ The district may reinstate the contractor, agent or volunteer, and such reinstatement may not occur until such time as a report of suspected sexual conduct has been investigated and a determination has been made by TSPC or ODE, ~~as appropriate,~~ that the report is unsubstantiated.

Upon request from ODE or TSPC the district will provide requested documents or materials to the extent allowed by state and federal law.

The name, address and other identifying information about the employee who made the report are confidential and are not accessible for public inspection.

An "investigation" means a detailed inquiry into the factual allegations of a report of suspected sexual conduct that is based on interviews with the person who initiated the report, the person who may have been subjected to sexual conduct, witnesses and the person who is the subject of the report, and results in a finding that the report is a substantiated report, cannot be substantiated, or is not a report of sexual conduct. If the subject of the report is a district employee represented by a contract or a collective bargaining agreement, the investigation must meet any negotiated standards of such employment contract or agreement.

Nothing prevents the district from conducting its own investigation, unless another agency requests to lead the investigation or requests the district to suspend ~~their~~the investigation, or taking an employment action based on information available to the district before an investigation conducted by another agency is completed. The district will cooperate with agencies assigned to conduct such investigations.

⁶ The district employee cannot be required to use any accrued leave during the imposed paid administrative leave.

⁷ TSPC investigates reports on commission licensees.

⁸ ODE investigates reports on persons who are not commission licensees.

⁹ ~~The district is encouraged to duplicate this language in the contract. If the contract is with a company and the person assigned to do the work is the alleged perpetrator, the district shall notify the company and request another company employee be assigned to complete the work.~~

A “substantiated report” means a report of sexual conduct that TSPC or ODE determines is founded.

If, following the investigation, the district decides to take an employment action, the district will inform the district employee of the employment action to be taken and provide information about the appropriate appeal process. The employee may appeal the employment action taken through the appeal process provided by the applicable collective bargaining agreement.

If the district is notified that the employee decided not to appeal the employment action or if the determination of an appeal sustained the employment action, the district shall create a record of the findings of the substantiated report and the employment action taken by the district will be placed in the records on the school employee maintained by the district. Such records created are confidential and not public records as defined in Oregon Revised Statute (ORS) 192.311, however the district may use the record as a basis for providing information required to be disclosed about a district employee under ORS 339.378(1). The district will notify the employee that information about substantiated reports may be disclosed to a potential employer.

Training

The district shall provide **information and** training each school year to district employees on the following:

1. Prevention and identification of sexual conduct;
2. Obligations of district employees under ORS 339.388 and 419B.005 - 419B.050 and under adopted board policies to report suspected sexual conduct; and
3. Appropriate electronic communications with students.

The district shall make available each school year the training described above to contractors, agents, volunteers and to parents and legal guardians of students attending district-operated schools, and will be made available separately from the training provided to district employees.

The district shall provide to contractors, agents and volunteers each school year information on the following:

1. Prevention and identification of sexual conduct;
2. Obligations of district employees under adopted board policies to report suspected sexual conduct; and
3. Appropriate electronic communications with students.

The district shall make available each school year training that is designed to prevent sexual conduct to students attending district-operated schools.



Suspected Sexual Conduct Report Form	
Name of person making report:	
Position / Role of person making report:	
Phone:	Email:
Name of person suspected of sexual conduct:	
Date and place of incident or incidents:	
Description of suspected sexual conduct:	
Name of witnesses (if any):	
Evidence of suspected sexual conduct, e.g., letters, photos, etc. (attach evidence, if possible):	
Any other information:	
I agree that all of the information on this form is accurate and true to the best of my knowledge.	
Signature:	Date:



Code: **GBNAB/JHFE-AR(2)**
Revised/Reviewed: 11/13/18

Abuse of a Child Investigations Conducted on District Premises

The Department of Human Services (DHS) or a law enforcement agency has the authority to conduct an investigation of a report of child abuse on school premises according to Oregon Revised Statute (ORS) 419B.045. The school administrator must be notified that the investigation is to take place, unless the administrator is a subject of the investigation. The investigator is not required to reveal information about the investigation to the school as a condition of conducting the investigation.

After the investigator provides adequate identification, school staff shall allow access to the child and provide a private space for conducting the interview. The investigator shall be advised by a school administrator or a school staff member of a child’s relevant disabling conditions, if any, prior to any interview with the child. The school administrator or designee may, at the investigator’s discretion, be present to facilitate the investigation.

School staff may only notify DHS, the law enforcement agency or school employees that are necessary to enable the investigation. School staff may not notify any other persons, including the child’s parent(s) or guardian(s).

_____ Investigator Name (Printed)	_____ Name of Agency
_____ Name of Worker’s/Investigator’s Supervisor	_____ Supervisor Contact Information
_____ Investigator Position and Badge or ID Number	_____ Student Name
	_____ School
_____ Investigator Signature	_____ Date

Investigator refused to sign. District staff should not deny entry based on refusal to sign.

FOR COMPLETION BY DISTRICT STAFF

- Student not available for interview
- Student refused to be interviewed
- Administrator participated in interview

Name of Administrator Notified

Name of Office Staff Involved

Name of Participating Administrator

Corrected 10/21/21



Code: **JHFE/GBNAB-AR(2)**
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Corrected 10/21/21