

MITCH Charter School

Code: GBNA-AR
Revised/Reviewed: 7/20/23

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, menacing, and cyberbullying 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 public charter school business, such as employees of businesses or organizations participating in cooperative work programs with the public charter school and others not directly subject to public charter school control at interschool and intraschool athletic competitions or other public charter school events.
2. “Public charter school” includes public charter school facilities, public charter school premises, and nonschool property if the employee is at any public charter school-sponsored, public charter school-approved, or public charter school-related activity or function, such as field trips, athletic events or where the employee is engaged in public charter school 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 public charter school-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 1) enduring the offensive conduct becomes a condition of continued employment, or 2) 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 offensive physical contact or inflict serious physical injury on the perception of the other’s race, color, religion, national origin, disability, sexual orientation or gender identity.
6. “Bullying” is a pattern of repeated mistreatment that harms, intimidates, undermines, offends, degrades, or humiliates an employee.
7. “Cyberbullying” means the use of any electronic device to harass, intimidate, or bully. Staff will refrain from using personal electronic devices or school equipment to harass or stalk another person or people.

8. “Menacing” includes, but is not limited to, any act intended to place a public charter school employee, student, or third party in fear of imminent serious physical injury.

Reporting Procedures

The public charter school executive director has responsibility for investigations concerning reports of hazing, harassment, intimidation, bullying, acts of cyberbullying, or menacing. 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 – Harassment, Intimidation, Bullying, Cyberbullying, Teen Dating Violence or Domestic Violence – Student shall immediately report concerns to the designated public charter school official.

Any employee or third party who has knowledge of conduct in violation of Board policy or feels they have been hazed, harassed, intimidated, bullied, menaced, or cyberbullied in violation of Board policy or this administrative regulation shall immediately report concerns to the designated public charter school 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, menacing, or cyberbullying (e.g., complaints, rumors) shall be presented to public charter school executive director. Reports against the executive director 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 public charter school official receiving the report shall promptly investigate. Parents will be notified of the nature of any report involving their student. The public charter school official will arrange such meetings as may be necessary with all concerned parties within 15 school days after receipt of the information or report. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the report will be reduced to writing. The public charter school official(s) conducting the investigation shall notify the person making the report within 10 school 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.
- Step 3 If the person making the report is not satisfied with the decision at Step 2, they may submit a written appeal to the Board. Such appeal must be filed within five school days after receipt of the Step 2 decision. The Board shall conduct a hearing at which time the person making the report shall be given an opportunity to present the information or report. The Board shall provide a written decision to the person making the report within 30 days following receipt of the appeal.

Reports against the executive director 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 in open

session what action, if any, is warranted. The decision of the Board will be issued within 30 days of receipt of the complaint.

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 and may be referred to counsel. 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 in open session what action if any, is warranted. The decision of the Board will be issued within 30 days of receipt of the complaint.

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 in open session what action, if any, is warranted. The decision of the Board will be issued within 30 days of receipt of the complaint.

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 public charter school office.