

EagleRidge High School

STUDENTS 700.38 GBNA/JHFF

Reporting Requirements for Suspected Sexual Conduct with Students Policy

Sexual conduct by EHS employees, contractors¹, agents², and volunteers³ is not tolerated. All EHS employees, contractors, agents, and volunteers are subject to this policy.

“Sexual conduct” means verbal or physical conduct or verbal, written or electronic communications by a school employee, a contractor, an agent or a volunteer that involves a student and that are sexual advances or requests for sexual favors, or of a sexual nature that are directed toward the student or that have the effect of unreasonably interfering with a student’s educational performance, or of creating an intimidating, hostile or offensive education environment. “Sexual conduct” does not include touching that is necessitated by the nature of the school employee’s job duties or by the services required to be provided by the contractor, agent or volunteer, and for which there is no sexual intent.

“Student” means any person who is in any grade from prekindergarten through grade 12 or 21 years of age or younger and receiving educational or related services from EHS that is not a post-secondary institution of education, or who was previously known as a student by the person engaging in sexual conduct and who left school or graduated from high school within 90 days prior to the sexual conduct.

Any EHS employee, contractor, agent or volunteer who has reasonable cause to believe that a student has been subjected to sexual conduct by another EHS employee, contractor, agent or volunteer, or that another EHS employee, contractor, agent or volunteer has engaged in sexual conduct with a student shall immediately report such suspected sexual conduct to the Executive Director or the Dean of Curriculum. In the event the Executive Director is the alleged perpetrator, a report received by the Dean of Curriculum about the Executive Director shall also be reported to the Board chair.

If an employee fails to report suspected sexual conduct or fails to maintain confidentiality of records, the employee will be disciplined up to and including dismissal.

When the Executive Director receives a report of suspected sexual conduct by an EHS employee, contractor, agent or volunteer, the Executive Director will follow procedures established by EHS

¹ “Contractor” means a person providing services to EHS under a contract in a manner that requires the person to have direct, unsupervised contact with students.

² “Agent” means a person acting as an agent for EHS in a manner that requires the person to have direct, unsupervised contact with students.

³ “Volunteer” means a person acting as a volunteer for EHS in a manner that requires the person to have direct, unsupervised contact with students.

and set forth in procedures STUDENT 700.37 Suspected Sexual Conduct Procedures and Forms. All such reports will be reported to the Oregon Department of Education (ODE) or Teacher Standards and Practices Commission (TSPC) as appropriate, for investigation. The agency receiving a report will complete an investigation regardless of any changes in the relationship or duties of the person who is the alleged perpetrator.

When there is reasonable cause to support the report, an EHS employee suspected of sexual conduct shall be placed on paid administrative leave pending an investigation and EHS will take necessary actions to ensure the student's safety.

When there is reasonable cause to support the report, an EHS contractor, agent or volunteer suspected of sexual conduct shall be removed from providing services to EHS and EHS will take necessary actions to ensure the student's safety.

EHS will post in each school building the names and contact information of the employees designated for the school building to receive reports of suspected sexual conduct and the procedures that will be followed upon receipt of the report.

EHS will notify, as allowed by state and federal law, the person who was subjected to the suspected sexual conduct about any actions taken by EHS as a result of the report.

An EHS employee, contractor or agent will not assist another EHS employee, contractor or agent in obtaining a new job if the individual knows, or has reasonable cause to believe the EHS employee, contractor or agent engaged in sexual conduct. Nothing in this policy prevents EHS from disclosing information required by law or providing the routine transmission of administrative and personnel files pursuant to law.

The initiation of a report in good faith about suspected sexual conduct may not adversely affect any terms or conditions of employment or the work environment of the person who initiated the report or who may have been subject to sexual conduct. If a student initiates a report of suspected sexual conduct by an EHS employee, contractor, agent or volunteer in good faith, the student will not be disciplined by EHS or any EHS employee, contractor, agent or volunteer.

EHS will provide to employees at the time of hire, or to a contractor, agent or volunteer at the time of beginning services for EHS, the following:

1. A description of conduct that may constitute sexual conduct;
2. A description of the investigatory process and possible consequences if a report of suspected sexual conduct is substantiated; and
3. A description of the prohibitions imposed on EHS employees, contractors and agents when they attempt to obtain a new job, pursuant to ORS 339.378(2).

All EHS employees are subject to Board policy PERSONNEL 500.10 Personal Electronic Devices and Social Media – Staff Policy and Procedures regarding appropriate communications with students.

Any electronic communications with students by a contractor, agent or volunteer for EHS will be appropriate only when directed by EHS administration. When communicating with students electronically regarding school-related matters, contractors, agents or volunteers shall use EHS e-mail using mailing lists and/or other internet messaging to a group of students rather than individual students or as directed by EHS administration. Texting or electronically communicating with a student through contact information gained as a contractor, agent or volunteer for EHS is prohibited.

The Executive Director shall develop procedures to implement this policy and to comply with state law.