

Administrative Procedures for Sexual Harassment Investigation

1. Conduct which a student, employee or other individual believes constitutes sexual harassment shall be reported to the Administrative Director. If a verbal report, the Administrative Director shall encourage the complaining party to fill out the sexual harassment complaint form 4016-R4. The person reporting shall provide the written report within two (2) business days and forward it to the Administrative Director.
2. Within twenty-four (24) hours after the report is made and received by the Administrative Director, the Administrative Director shall determine whether or not she/he will investigate the complaint or assign it to an investigator to be selected by the Administrative Director.
3. The person who is responsible for conducting the investigation shall, within five (5) days after receipt of the request to investigate by the Administrative Director or, if the Administrative Director elects to conduct the investigation, then within seven\ (7) days of when the Administrative Director receives the report, attempt to contact all witnesses whom the reporting party believes can provide information and/or evidence to support the claim of harassment. The investigator shall attempt to get the witnesses to fill out the Witness Disclosure Form 4016-R3.
4. Within ten (10) days after the report, the investigator shall contact the alleged harasser and notify him/her of the sexual harassment that has been alleged and provide an opportunity for that individual to provide a response to the allegation of sexual harassment. The investigator shall notify the alleged harasser not only of the specific conduct alleged by the reporting party and/or alleged victim but also of any conduct which supports the claim for sexual harassment or which may support any defense of the alleged harasser which has been reported by witnesses interviewed by the investigator.
5. Within fifteen (15) days after the original report is made, the individual against whom the complaint is made shall provide to the investigator, a response to the allegations and any information, including names of witnesses, which the person against whom the complaint is made believes are supportive of his/her position.

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6. The investigator shall, within twenty(20)days, conduct such further investigation as the investigator determines is appropriate and/or conduct such meetings or conferences between the complainant and the person against whom the complaint is made as the investigator feels is appropriate.
7. Within twenty-four (24) days after the original report, the investigator shall prepare a written report containing the results of the investigation of the complaint and provide a copy to the Administrative Director, if she/her is not the investigator.
8. Within four (4) days after receipt of the investigation report, or completion of the investigation report by the Administrative Director, the Administrative Director shall report the results of the investigation to the complainant and the person against whom the complaint is made. The report shall document whether or not disciplinary action was taken as a result of the complaint.
9. A copy of the report will be placed in either the student files of both the complainant and the accused or the personnel files of both the complainant and the accused.
10. Reference in this administrative procedure to day shall mean business days.
11. The investigator may consult with such other sources, including other personnel in the NWBOCES and/or the school's legal counsel as the investigator deems appropriate, keeping in mind the need to keep the matter as confidential as reasonably possible.

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