

## Reporting Requirements Regarding Sexual Conduct with Members

Sexual conduct by staff members (including Board members and volunteers) as defined by Oregon law will not be tolerated. All staff members and volunteers are subject to this policy.

*“Sexual Conduct” as defined by Oregon law is any verbal or physical or other conduct that is sexual in nature; directed toward a kindergarten through grade 12 student; and creates an intimidating, hostile or offensive educational environment. The definition for sexual conduct does not include behavior that would be considered child abuse as outlined by Oregon law, Board policy on “Reporting of Suspected Abuse of a Child”. For this purposes of this procedure, the definition of “sexual conduct” is expanded to include any members, regardless of grade level or age.*

Any staff member, volunteer or board member who has reasonable cause to believe that another staff member or volunteer has engaged in Sexual Conduct with ANY member must immediately report to the local law enforcement agency or the Oregon Department of Human Services, with the exception of where the member is 18 years of age or older. The staff member shall also immediately inform their Organization Director or the CEO, regardless of the age of the member.

When the Organization receives a report of suspected Sexual Conduct by a staff member (inclusive of volunteers), the Organization may decide to place that staff member on administrative leave or in a position that does not involve direct, unsupervised contact with members while conducting an investigation. An investigation is a detailed inquiry into the factual allegations of a report of suspected Sexual Conduct that is based on interviews with the complainant, witnesses, the staff/volunteer or member who is the subject of the report.

A substantiated report is one where: a) a staff member has reasonable cause to believe is founded based on the available evidence after conducting an investigation; and b) involves conduct that the staff member determines is sufficiently serious to be documented in the staff member’s personnel file.

The Organization will post on it’s website, the name and contact information of the person designated to receive Sexual Conduct reports, as well as the procedures that will be followed upon receipt of a report. In the event the designated person is the suspected perpetrator, the CEO, President of the Board or designee shall receive the report. When the Organization takes action on the report, the person who initiated the report must be notified.

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 complainant. If a member initiates a report of suspected Sexual Conduct by a staff member in good faith, the member will not be disciplined by the Board or Organization staff. A report made in bad faith shall be considered a serious offense and may result in disciplinary action or other appropriate sanctions.

The Organization will provide training to staff and members regarding the prevention and identification of Sexual Conduct. The Organization will provide to staff at the time of hire a description of conduct that may constitute Sexual Conduct and a description of records subject to disclosure if a Sexual Conduct report is substantiated.

Adopted: June 3, 2018

END OF POLICY

Legal Reference(s):

ORS 418.746 to-418.751

ORS 419B.005 to-419B.045