

Responding to Harassment Complaints (page 1 of 2)

Prepared by Tracey Tsugawa, Vermont Human Rights Commission

Incident



Student witness/student victim/parent or other adult/school employee reports incident



Report received by designated employee



Designated employee completes written harassment form



QUESTION: Investigation or informal resolution?

4 factors to consider:

- nature of accusations,
- age of complainant and the accused individual,
- agreement of the complainant, and
- other relevant factors



IF informal resolution appropriate and successful

- Document resolution and notify parents of policy and resolution
- Report data

IF informal resolution NOT appropriate, need to conduct an investigation

- Give copy of policy and procedure to complainant and accused
- Notify parents and provide copy of policy and procedure

Within 1 day investigation commences



Within 5 school days investigator files report with principal/superintendent



Responding to Harassment Complaints (page 2 of 2)

Prepared by Tracey Tsugawa, Vermont Human Rights Commission



IF finding of harassment:

- Superintendent/principal decides discipline and/or corrective action
- Notify parties of the results

for STUDENTS:

- If expulsion is recommended, need school board approval otherwise superintendent/principal decides any other disciplinary actions
- In either case student has the right to appeal the disciplinary action and the internal review for the appeal must be completed within 30 days
- Report data

for EMPLOYEES:

- Must follow policies and procedures of collective bargaining agreement and state and federal law
- Employee has a right to appeal disciplinary action as permitted under collective bargaining agreement and state and federal law and the internal review for the appeal must be completed within 30 days
- Report data

IF finding of NO harassment:

- Need to determine if there was a violation of any other discipline policy
- If no, notify parties of results
- If yes, determined discipline or corrective action as defined in discipline policies and procedures and notify parties of results
- If complainant has knowingly made a false complaint, discipline complainant, notify the parties of results
- In all circumstances, report data

Independent review process:

- Complainant or district may request an independent review
- Superintendent selects and contracts with an independent reviewer from DOE list
- Review includes interview of complainant, relevant school officials, and records
- Completed review is reported to complainant and designated school employee

AT ALL TIMES during an investigation and determination process **alternative dispute resolution methods** should be made available to the complainant.

IN ADDITION, complainants have the option of filing harassment complaints with the **Vermont Human Rights Commission or U.S. Department of Education Office of Civil Rights**.

