



ADELANTO ELEMENTARY SCHOOL DISTRICT
Academic Services

Complaint Process - School Level Process

1. **Notification and Receipt of Complaints:** Any student who believes that he or she has been subjected to sexual harassment may file a complaint with any school employee but must report it to the school principal or assistant principal immediately. Within 24 hours of receiving the complaint, the school employee must report it to the school administrator. In addition, any school employee who observes any incident of sexual harassment involving a student must, within 24 hours, report it to the principal, whether or not the victim files a complaint.
2. **Initiation of Investigation:** The principal will initiate an impartial investigation of an allegation of sexual harassment within five school days of receiving notification of the harassing behavior, regardless of whether a formal complaint has been filed.
3. **Initial Interview with Student:** When a student or parent/guardian has complained or provided information about sexual harassment, the principal will describe the district's complaint procedure and discuss what actions the student is seeking in response to the complaint. The complaining student will have an opportunity to describe the incident, identify witnesses who may have relevant information, provide other evidence of bullying, and put his or her complaint in writing. If the student requests confidentiality, the student will be advised that such a request may limit the investigative capacity of the district.
4. **Investigation Process:** The principal shall maintain the confidentiality of the complaint and allegation, except to conduct further investigation or take other necessary action. The principal will interview persons who are relevant to the investigation, including, but not limited to, the student who complains, the person accused of bullying, anyone who witnessed the reported bullying, and anyone mentioned who has relevant information. The principal will take other action, such as reviewing any records, notes, or statements related to the harassment or visiting the location where the harassment is alleged to have occurred. The principal, when necessary to conduct his or her investigation or to protect the safety of the student, may discuss the complaint with the Superintendent or his/her designee, the parents/guardians involved,
5. **Interim Measures:** The principal will determine if interim measures are necessary during and pending the results of the investigation, such as placing students in separate classes or transferring a student to another class taught by a different teacher.
6. **Optional Mediation:** In cases of student-on-student bullying, when the complaining student and the alleged harasser agree, the principal may arrange for them to resolve the complaint informally with the assistance of a counselor, teacher, administrator or trained mediator.
7. **Factors in Reaching a Determination:** In reaching a decision about the complaint, the principal may consider:
 - a. Statements made by the persons identified above
 - b. The details and consistency of each person's account
 - c. Evidence of how the reporting student reacted to the incident
 - d. Evidence of previous instances of harassment by the alleged harasser
 - e. Evidence of any prior harassment complaint that was found to be untrue
 - f. In judging the severity of the harassment, the Coordinator/Director may take into consideration:
 - i. How the misconduct affected the education of one or more students



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- ii. The type, frequency, and duration of the misconduct
- iii. The identity, age, and gender of the harasser and the student who complained, and the relationship between them
- iv. The number of people involved in the harassing conduct and at whom the harassment was directed.
- v. The size of the school, the location of the incidents and the context in which they occurred
- vi. Other incidents at school involving different students

8. Written Report of Findings and Follow-up: No later than 30 days after receiving the complaint, the principal will conclude the investigation and prepare a written report of the findings of the investigation. This timeline can be extended for a good cause. If an extension is needed, the principal will notify the student who complained and explain the reasons for the extension. The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If it is determined that bullying occurred, the report will also include any corrective action that has been or will be taken to address the bullying and prevent any retaliation or further bullying. This report will be presented to the student who complained, the person accused, the parents/guardians of the students, and the Superintendent or designee. In addition, the principal shall ensure that the harassed student and his/her parents/guardians are informed of the procedures for reporting any subsequent problems. The principal will make follow-up inquiries to see if there have been any new incidents or retaliation and shall keep a record of all this information.