

File GBEB-E Procedures for Investigations of Reported Incidents (Staff Misconduct)

Situation

Principal is informed of complaint/report by student, parent/legal guardian, teacher, administrator or other party.

When principal or his/her designee becomes aware of allegation

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Step1

Principal talks to student complainant

In presence of a witness, preliminary information should be obtained from the student complainant making allegation. This preliminary information should be obtained in the presence of another building employee who will serve as a witness. (Examples: assistant principal, guidance counselor). Training will be conducted on basic interviewing techniques.

Sample questions

1. Tell me what happened today. (Ask clarifying questions only based on their account.)

Example: Which class were you in? What was your location?

What time of day did this occur?

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2. Where on your body did he/she touch you?
3. Show us how you were touched.
4. Who saw or heard what happened?

Step2

Principal talks to teacher respondent

In the presence of a witness, preliminary information should be obtained from the teacher respondent.

Introductory statement

"I have been informed of an allegation made against you by a student. In order to investigate this situation, I need to ask you some questions. If you choose not to make a statement in this manner, it will become part of my report."

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Obtain names of witnesses who may have seen or heard the incident.

Principal interviews witnesses or obtains witnesses' statements.

Step3

Principal makes determination and contacts parents/legal guardians

Based on the preliminary information gathered, the principal will decide-make a determination if the situation warrants a report being submitted to the central district office level for further investigation or if the case is considered closed. If the incident involves students, the parent/legal guardian should be communicated with in either instance by letter and by phone call. (See GBEB-E1 - Report of Allegations of Physical Contact).

· If after the preliminary investigation, the principal finds no basis or supporting evidence for the allegation, the principal will communicate to the parent/legal guardian in writing in the following manner. (See GBEB-E(2) - Sample Letter 1).

- send the letter home by student
- send the letter by certified mail

· Upon making the determination that further investigation is warranted, the principal will communicate in writing with the parent/legal guardian in the following manner. (See GBEB-E(3) - Sample Letter 2).

- send the letter home by student
- follow-up with a phone call
- send the letter by certified mail

Step4

Principal writes employee

If no additional investigation is warranted, the principal will write the employee informing him/her of the conclusion of the matter from the district's perspective. (See GBEB-E(4) - Sample Letter 3).

If additional investigation is warranted, the principal will write the employee informing him/her that the matter is begin being referred to the district office of human resource services for further dispensation review. (See GBEB-E(5) - Sample Letter 4).

Upon making the determination determining that the situation warrants further investigation, the principal should contact the district's employee relations coordinator by phone and immediately fax email a written report to the attention of the district's legal counsel employee relations coordinator. The principal will contact the district's counsel by telephone or beeper. The principal will also contact the appropriate executive director of schools and will inform him/her of a report being forwarded to the district office.

The district's legal counsel employee relations coordinator will assist the public relations department Communications Office in communicating with the media if necessary.

Step5

District office Employee relations coordinator writes employee (See GBEB-E(6) - Sample Letter 5).

~~(See GBEB-E6 - Sample Letter 5).~~

Step6

Internal investigation begins by reviewing the packet submitted by the principal

At a minimum, the internal investigation packet will include interviews of the employee, the student complainant, respondent, and witnesses. At the conclusion of the internal investigation, a written report will be submitted to the senior associate for human resource services chief human resources officer. The district's legal counsel will also review the report.

Step7

Report submitted to senior associate for human resource services chief human resources officer and legal counsel

~~· If it is determined that no disciplinary action is warranted, but a letter of caution/warning is necessary, sample letter #6 (GBEB-E(7)) will be issued.~~

· If it is determined that disciplinary action is warranted but ~~that~~ no criminal act occurred, sample letter #7 (GBEB-E(8)) will be ~~sent issued~~.

· If it is determined that no criminal act occurred, ~~and of or~~ no disciplinary action is needed, sample letter #8 (GBEB-E(9)) will be ~~sent issued~~.

· If criminal charges are filed or if actions occurred which could be defined as criminal, sample letter #9 (GBEB-E(10)) will be issued.

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