

# IT'S MANDATORY

## REPORTING SEXUAL CONDUCT AND CHILD ABUSE

**Education Service District (ESD) employees are required to report sexual conduct by an employee, contractor, agent or volunteer toward any student when they have reasonable cause to believe that it has occurred.** Sexual conduct is defined as “verbal or physical conduct or verbal, written or electronic communications by a school employee, contractor, an agent or a volunteer that involve a student and that are:

- Sexual advances or requests for sexual favors directed toward the student; or
- Of a sexual nature that are directed toward the student or that have the effect of unreasonably interfering with the student’s educational performance, or of creating an intimidating, hostile or offensive educational environment.”

**Sexual conduct may include a wide list of physical and non-physical behaviors and actions:**

- Performing back rubs on students
- Touching students frequently
- Exchanging romantic gifts or communications
- Discussing/writing about sexual topics unrelated to curriculum
- Kissing students
- Commenting on students’ bodies or appearance in a sexual manner
- Videotaping or photographing a student in revealing poses
- Sharing one’s own sexual experiences

When the designated licensed administrator (or alternate) receives a report of sexual conduct and has reasonable cause to believe that it has occurred, the designated licensed administrator will report the suspected conduct to the Teacher Standards and Practices Commission (TSPC) if the alleged perpetrator is a licensed individual, and to the Oregon Department of Education (ODE) if the suspected perpetrator is not licensed (effective July 1, 2020). TSPC or ODE will conduct an investigation and report back to the ESD. The ESD may also conduct an investigation into the alleged sexual conduct. If there is reasonable cause to believe that an employee has committed child abuse, that employee will be placed on paid administrative leave pending the investigation. An employee may be subject to discipline, up to and including termination, based on the results of the investigation. A contractor, agent or volunteer may be removed from their position based on information of sexual conduct.

### DESIGNATED LICENSED ADMINISTRATOR

Name

Position

Phone

Email

Location

**ESD employees are required to report suspected instances of child abuse** when the employee has reasonable cause to believe that a child with whom the employee has come in contact has suffered child abuse or that a person with whom the employee has come in contact has committed child abuse. This report must be made to law enforcement or the Department of Human Services (DHS) and to the designated licensed administrator identified below. The duty to report to DHS or law enforcement is in addition to the requirement to report to the designated licensed administrator. Child abuse may include, but is not limited to:

- Assault
- Mental injury that impairs child’s function
- Rape
- Sexual abuse
- Sexual exploitation
- Negligent treatment or maltreatment
- Threatened harm
- Buying or selling a minor
- Permitting presence where methamphetamines are manufactured
- Unlawful exposure to controlled substances

If the designated licensed administrator (or alternate) receives a report of child abuse and has reasonable cause to believe that it has occurred, the designated licensed administrator will ensure that the report has been made to DHS and/or law enforcement for investigation. If there is reasonable cause to believe that an employee has committed child abuse, that employee will be placed on paid administrative leave pending the investigation. The ESD may conduct an investigation into the suspected abuse. The designated licensed administrator will also report to TSPC if required by OAR 584-020-0041. An employee may be subject to discipline, up to and including termination, based on the results of the investigation. A contractor, agent or volunteer may be removed from their position based on information of child abuse.

### LOCAL LAW ENFORCEMENT

Phone

### DHS

Phone

### ALTERNATE DESIGNATED LICENSED ADMINISTRATOR

Name

Position

Phone

Email

Location