

ABUSE AND SEXUAL CONDUCT INFORMATION AND REPORTING REQUIREMENTS FOR GASTON SCHOOL DISTRICT CONTRACTORS, AGENTS AND VOLUNTEERS

Gaston School District does not tolerate child abuse or sexual conduct in any form.

Gaston School District seeks to prevent child abuse and sexual harassment by committing to:

- Teaching students about appropriate boundaries and relationships (in coordination with curriculum);
- Training all employees regarding child abuse and sexual conduct, and clearly communication responsibilities and procedures;
- Making this training available to parents, community members, contractors and volunteers; and
- Promptly and thoroughly investigating any reports or complaints of abuse or sexual conduct.

Abuse Defined:

- Any assault of a child and any physical injury to a child, which has been caused by other than accidental means, including any injury which appears to be at variance with the explanation given of the injury.
- Any mental injury to a child, which shall include only observable and substantial impairment of the child's mental or psychological ability to function caused by cruelty to the child, with due regard to the culture of the child.
- Rape of a child
- Sexual abuse
- Sexual exploitation, including but not limited to: Contributing to the sexual delinquency of a minor and any other conduct which allows, employs, authorizes, permits, induces or encourages a child to engage in the performing for people to observe or the photographing, filming, tape recording or other exhibition which, in whole or in part, depicts sexual conduct or contact. Sexual abuse involving a child or rape of a child, and allowing, permitting, encouraging or hiring a child to engage in prostitution or a commercial sex act, to purchase sex with a minor or to engage in commercial sexual solicitation.
- Negligent treatment or maltreatment of a child, including but not limited to the failure to provide adequate food, clothing, shelter, or medical care that is likely to endanger the health or welfare of the child.
- Threatened harm to a child, which means subjecting a child to a substantial risk of harm to the child's health and welfare.
- Buying or selling a person under the 18 years of age.
- Permitting a person under 18 years of age to enter or remain on our premises where methamphetamines are being manufactured.
- Unlawful exposure to a controlled substance, or to the unlawful manufacturing of a cannabinoid extract, that subjects a child to a substantial risk of harm to the child's health or safety. ORS 419B.005(1)

Sexual Conduct Defined: Verbal or physical conduct or verbal, written, or electronic communications by a school employee, contractor, agent or volunteer that involves a student(s) and that are: sexual advances or requests for sexual favors directed toward the student; or of a sexual nature that are directed towards 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 does not include touching that is necessitated by the nature of the school employee's job duties or by the services required to be provided by the contractor, agent, or volunteer and for which there is no sexual intent. ORS 339.370(11)(a).

Student Defined: Any person who is in any grade from pre-kindergarten through grade 12 or twenty-one years of age or younger and receiving educational or related services from an education provider that is not a post-secondary institution, or who was not previously known as a student by the person engaging in sexual conduct and who left school, or graduation from high school within 90 days prior to the sexual conduct. ORS 339.370(12).

Grooming and examples of sexual conduct: Sexual conduct may include grooming behavior. This is behavior in which adults develop trust to break down a child's defenses so that the adult may engage the child in sexual conduct or sexual abuse.

Sexual conduct includes, but is not limited to, the following examples:

- Performing back rubs on students
- Touching students frequently
- Exchanging romantic gifts or communications with a student
- Discussing or writing about sexual topics unrelated to curriculum with students, making sexual jokes, gestures and innuendos, or engaging in inappropriate banter with students (e.g. discussion of student's dating behavior)
- Intentionally invading the student's privacy
- Kissing students
- Commenting on students' bodies or appearance in a sexual manner
- Videotaping or photographing a student in a revealing process
- Sharing one's own sexual exploits or marital difficulties
- Using email, text messaging or instant messaging to discuss sexual topics with individual students.

Obligations of School Employees to Report Abuse and Sexual Misconduct: ALL EMPLOYEES are required to follow policy JHFE “Reporting of Suspected Abuse of a Child” and policy JHFF/GBNAA “Reporting Requirements for Suspected Sexual Conduct with Students”. These policies help ensure employees are properly reporting incidents of abuse and sexual conduct.

Policy JHFE requires employees who have a reasonable cause to believe any child, with whom the employee has come into contact, has suffered abuse report this to DHS or the law enforcement agency within the county where the person making the report is located at the time of the contact. It also requires employees who have reasonable cause to believe that any adult or student with whom the employee is in contact has abused a child to report this to DHS or to the law enforcement agency within the county where the person making the report is located at the time of the contact. See district policy JHFE "Reporting Requirements for Suspected Abuse of a Child" for more detail regarding these reporting obligations.

Policy JHFF requires employees who have reasonable cause to believe that another employee, contractor, agent or volunteer has engaged in sexual conduct with a student, to immediately notify the designated licensed administrator of the conduct. The designated licensed administrator who receives the report is required to report to the Oregon Department of Education (ODE or Teacher Standards and Practices Commission (TSPC) as appropriate. See district policy "Reporting Requirements for Suspected Sexual Conduct with Students" for more detail regarding these reporting obligations.

Investigatory Process: 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 alleged conduct to TSPC if the alleged perpetrator is a licensed individual, and to ODE if the alleged perpetrator is not licensed (effective July 1, 2020). TSPC or ODE will conduct an investigation and report back to the district. The district may also conduct an investigation into the alleged sexual conduct. 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. The district may also conduct an investigation into the alleged abuse. The designated licensed administrator will also report to TSPC if required by OAR 584-020-0041. A contractor, agent or volunteer may be removed from their position based on information of sexual conduct and/or child abuse.

Obligations of School Contractors, Agents, and Volunteers to Report Abuse and Sexual Conduct: ALL CONTRACTORS, AGENTS AND VOLUNTEERS are required to report all known or suspected incidents of abuse and sexual conduct to a school administrator. Failure to report known or suspected incidents of abuse and sexual conduct may lead to termination of your contract with the District, termination of your right to volunteer with the District, and/or trespass from all school property and events.

Appropriate Electronic Communications with Students: Policy JHFF/GBNAA requires that any electronic communications with students by a contractor, agent or volunteer for the district will be appropriate and only when directed by district administration. When communicating with students electronically regarding school-related matters, contractors, agents or volunteers shall use district email using mailing lists and/or other internet messaging to a group of students rather than individual students, or as directed by district administration. Texting or electronically communicating with a student through contact information gained as a contractor, agent or volunteer for the district is prohibited. See district policy JHFF/GBNAA “Reporting Requirements for Suspected Sexual Conduct with Students” for more detail regarding these reporting obligations.

Additional Prohibitions: If a school employee, contractor or agent knows or has reason to know that another school employee, contractor or agent has engaged in sexual conduct or abuse, the school employee, contractor or agent may not assist the other in obtaining a new job. This prohibition does not apply if the employee, contractor or agent knows or has reasonable cause to believe that the conduct was reported to the appropriate agency and was resolved, or the investigation remains ongoing after four years.

Volunteer Guidelines: Your volunteer support represents a wonderful commitment to our community. Volunteers directly meet the needs of students and assist teachers and staff. Volunteers enhance school programs by fundraising, adding their efforts to special building programs, and important committee work. The work of volunteers is invaluable and well appreciated! The following guidelines are designed to clarify school expectations of volunteers.

What Will I Do As A Volunteer? Volunteers help in many ways, including but not limited to: tutoring students, reading to or with students, assisting with preparation of classroom materials, serving on a building Site Council or other committee, assisting a coach or at a sport activity, chaperoning dances/field trips, sharing your expertise or talent, helping with special projects, and assisting with a student program.

Sign In Please! At each building, volunteers MUST sign in and make sure your volunteer ID badge is visible at all times. Your volunteer ID badge lets our school staff and students know you have checked in at the office and are approved to be on campus. Also, office staff needs to know where you are working and how long you volunteered (for matching corporate funds and grant writing purposes). Remember, volunteers and the services they provide are an indicator of effective schools!

A Volunteers Role: Teachers and/or staff will give you directions about materials and which students to assist. Remember, volunteers assisting students will be under the direction of district staff and in “*no instance is a volunteer to be left in sole charge of a student or group of students.*” (Gaston School District Policy IICC).

- Respecting confidentiality is crucial. Volunteers are not authorized access to confidential information concerning students and should not disclose other student information to anyone other than appropriate staff who work directly with the students.

- Contribute in a positive way! Students will appreciate your positive attitude and interactions with them and you'll notice their growth and process. Your praise of "good job", "practice is really making a difference in your performance", and "your skills are really improving, I can see the difference", will motivate our Gaston students.
- Disciplining students is not a job for volunteers. Students are expected to be respectful and appropriate with volunteers. If your gentle, verbal reminders do not help refocus the student's attention and/or behavior continues to be disruptive or inappropriate, get assistance from the staff member who is in charge. At no time is it appropriate for a volunteer to use physical force or negative intervention with a student.

Questions or concerns: Please mention your questions/concerns to the staff member you're working with or a building administrator.

Thank you in advance! As a volunteer, your enthusiasm, service and dedication is very much appreciated!

This volunteer/background form must be completed every 2 years.

Please sign below indicating you have read our volunteer guidelines and return the form to the school secretary or athletic director.

I have read the guidelines for volunteers and agree to adhere/abide by all expectations.

I hereby grant Gaston School District permission to check civil or criminal records to verify any statement made on the attached ODE Criminal History Verification of Applicants form 581-2282-M.

Address

Address

Telephone Number

Print Name

Date

Date of Birth

ODL#

Signature

Oregon Department of Education
Public Service Building
255 Capitol Street NE
Salem, Oregon 97310

Office of Finance and Administration
Pupil Transportation and Fingerprinting
503-947-5600
FAX 503-378-5156

CRIMINAL HISTORY VERIFICATION OF APPLICANTS

Please type or print clearly.

As Appears on License

Name: _____ Date of Birth: _____ Sex: _____
(Last Name) (First Name) (Middle Name) MM/DD/YY

List Other Names Previously Used: _____
(includes Maiden Name)

Social Security No.: _____ Driver License/Identification Card No.: _____

Providing your social security number on this form is voluntary. If you choose not to disclose the social security number, this will not be a basis for denial of employment or any rights, services or benefits to which you are otherwise entitled. If you do provide the number the Oregon State Police will use it as an additional identifier to search for any criminal record you may have. Your social security number will be used as stated above. State and federal laws protect the privacy of your records.

Mailing Address: _____
Full Street Address/Post Office Box

City: _____ State: _____ Zip + 4: _____

A. Have you **EVER** been convicted of a sex-related crime? Yes No

If yes, was the conviction in Oregon or another state? (Please specify if another state.) State: _____

If yes, did the crime involve force or minors? Yes No

B. Have you **EVER** been convicted of a crime involving violence or threat of violence? Yes No

If yes, was the conviction in Oregon or another state? (Please specify if another state.) State: _____

C. Have you **EVER** been convicted of a crime involving criminal activity in drugs or alcoholic beverages. Yes No

If yes, was the conviction in Oregon or another state? (Please specify if another state.) State: _____

D. Have you **EVER** been convicted of any other crime except a minor traffic violation?(Includes Traffic Crimes) Yes No

E. Have you been arrested within the last three years for a crime for which there has not yet been an acquittal or dismissal? Yes No

Advisory: A check of the applicant's criminal history will be made by the Oregon Department of Education to verify the responses to the preceding questions.

I hereby grant to the Oregon Department of Education permission to check civil or criminal records to verify any statement made on this form. Regardless of whether the applicant grants consent, the Oregon Department of Education will conduct a criminal offender record check of applicants for the position of school bus driver, volunteer, or other prospective school employees working with or around children. The applicant is entitled to review his/her criminal history for inaccurate or incomplete information. Discrimination by an employer on the basis of arrest records alone may violate federal civil rights law. The applicant may obtain further information concerning the applicant's rights by contacting the Bureau of Labor and Industries, Civil Rights Division, State Office Building, Suite 1070, Portland, Oregon 97232, telephone (503) 731-4075.

I acknowledge reading and the receipt of this notice.

Applicant's Signature: _____ Date: _____