



AP 1-502 – GUIDELINES FOR THE INVESTIGATION OF HARASSMENT COMPLAINTS

The Guidelines herein, deal primarily with the formal resolution process for complaints. The informal process should follow a parallel process but may not involve an investigative committee.

The Western School Division Anti-harassment Policy provides for both formal and informal resolutions of harassment complaints. An investigation must occur when a complaint is made. The investigation will be completed by the individuals identified in The Anti-harassment Policy Procedures. The following provides a reference to guide individuals designated to investigate harassment complaints. The purposes of the guidelines are:

1. to provide a common process for all harassment complaint investigations and to ensure consistency, equity and accountability in the process;
2. to assist investigators to complete the investigation in a timely and efficient manner;
3. to ensure investigators obtain the essential information required to make a recommendation on disposition of the complaint.

GENERAL GUIDELINES

FORMAL RESOLUTION: DUTIES OF THE INVESTIGATING COMMITTEE

1. Ensure a written and signed account of the harassment incidents as identified by the complainant is evident (refer to Harassment Documentation and Complaint Form for information that should be available in the report).
2. Have a pre-investigative meeting to review the complaint and the procedure to be followed.
3. Notify the respondent of the complaint and the investigative procedure to be followed (reference the Harassment Policy).
4. Notify the parent(s)/guardian(s) of complainant/respondent or witnesses, if appropriate, of the complaint and the role of their child in the complaint and/or investigation.
5. Advise individuals to be interviewed of their right to have a third party present during their interview (at the discretion of the individual being interviewed).
6. Arrange interview of all parties involved in the following order:
 - a) Complainant
 - b) Respondent
 - c) Witnesses identified by the complainant
 - d) Witness identified by the respondent (if different from those identified by the complainant)
7. Conduct interviews in a private location (refer to Harassment Complaint: Interview Guidelines) and record objective notes.
8. Discuss information obtained in the interviews, seek consultation as required, and provide a written report on findings and recommended action to be taken.



HARASSMENT COMPLAINT: INTERVIEW GUIDELINES

1. Ensure the representation of the investigators at the interviews considers gender, race, and ethnicity where such factors may be a potential issue within the complaint.
2. Prior to the interviews the investigators should establish a preliminary set of questions to be asked of each party interviewed (refer to Harassment Complaint: Interview Format).
3. The coordinator of the investigation will arrange a private meeting room to conduct the interviews.
4. Identify that the information obtained via the interviews will remain confidential to the investigative committee and administrators involved in the harassment complaint procedure and ask that the individual being interviewed maintain this confidentiality by not discussing the interview or situation with others.
5. Identify that written notes will be taken during the interview to ensure that the accuracy of the investigation is maintained. Keep accurate detailed notes which identify the individuals interviewed, dates, times and places and who was present. Record direct quotes whenever possible. Don't provide comment on your thoughts or editorialize (e.g., I don't believe her; he is overly sensitive, etc.).
6. Remain objective and neutral and do not speculate on the outcome of the situation with individuals being interviewed.

HARASSMENT COMPLAINT: INTERVIEW FORMAT

- Introduce the investigative committee if appropriate and review the intent of the interview as investigative and fact finding.

On _____, it has been reported, an incident occurred between _____ and _____ and that you were a witness or a party to that incident.

Could you please discuss your recollection of the events that occurred during that incident?

- Ask the individual to recount the incident in his/her own words and clarify/question to ensure the following questions are answered:
 1. Who was involved in the incident?
 - a) as an active participant
 - b) as a witness
 2. Where did the incident occur? (time, place, date)
 3. Were there any significant events that led up to the incident or followed the incident?
 4. Are you familiar with any similar incidents that have occurred involving these individuals?
 5. How did this incident make you feel or affect you?

HARASSMENT COMPLAINT: INVESTIGATION DOCUMENTATION GUIDELINES

- Document in ink.
- Document what is said, not what is inferred. Record direct quotes of what was said by the complainant and the respondent during the incident. Clarify what is being said frequently and review with the interviewer what has been recorded. Don't try to transcribe the interview word for word.
- Identify the complainant and the respondent by initials only.
- Be sure notes reflect specific details of the incident including:
 - What happened.
 - How often it occurred.
 - Where the incident(s) took place.



- How close the parties were to each other (both physical proximity and relationship).
 - What the respondents said (exact quotes).
 - List of witnesses. Ensure accurate spelling of names.
- At the end of each interview the committee should discuss the interview and ensure an accurate representation of the interview is recorded. This record should include items of fact, points of common understanding and differences in interpretation.
 - Date and sign your notes and list all parties present during the interview.

FINAL DOCUMENTATION:

The committee shall be responsible for preparing a final report including:

1. The allegations noting complainant and respondent.
2. A list of witnesses.
3. A list of all individuals and their representatives at the interviews.
4. All original interview notes.
5. The original complaint form as files by the complainant.
6. The findings of the committee.
7. The recommended action to be taken.

Final documentation of the committee shall be filed with the Superintendent for consideration and response.

Reviewed: November 2012