How to Investigate a Claim of Employee Sexual Harassment

Important: Liability for the school district for sexual harassment will attach upon <u>notice</u> of the problem. The one way to minimize exposure is to complete a thorough, timely investigation, and take appropriate action based upon the investigation.

The Investigator(s)

At least one investigator must be of the same or higher institutional rank than the alleged harasser. It is preferable to have at least one male and one female interviewer available throughout the investigation. The interviewers must have complete autonomy.

The Complainant

The initial charge must be placed in writing by the complainant, signed and dated. It is important to obtain permission from the charging party to use the charging party's name with the person accused, if necessary.

A sufficient amount of time should be set aside for the initial interview. The complainant usually is embarrassed or angry about the situation. As the goal is to get as complete a statement as possible, and all the facts, a relaxed, deliberate interview will indicate the importance and establish a feel of sensitivity which will enable the complainant to feel comfortable discussing the situation.

The following questions should be asked:

- What happened?
- · Who was present?
- Where and when did it happen?
- Who said what?
- How did the complainant react to what was said/done?
- Who else knows about what happened?
- How do they know?
- How soon after the incident did the complainant tell someone else what happened?

A successful interview will sift through opinions and speculation, and end with a good synopsis of the facts. Attempt to obtain the actual words used by each person whenever

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Mary Jo McGrath, McGrath Systems, Inc

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- 1. Understanding the eBook Sexual Harabment Investigation Training Guide
 - The Rise of Digital Reading Sexual Harabment Investigation Training Guide
 - Advantages of eBooks Over Traditional Books
- 2. Identifying Sexual Harabment Investigation Training Guide
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
- 3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Sexual Harabment Investigation Training Guide
 - User-Friendly Interface

- 4. Exploring eBook Recommendations from Sexual Harabment Investigation Training Guide
 - Personalized Recommendations
 - Sexual Harabment Investigation Training Guide User Reviews and Ratings
 - Sexual Harabment Investigation Training Guide and Bestseller Lists
- 5. Accessing Sexual Harabment Investigation Training Guide Free and Paid eBooks
 - Sexual Harabment Investigation Training Guide Public Domain eBooks
 - Sexual Harabment Investigation Training Guide eBook Subscription Services
 - Sexual Harabment Investigation Training Guide Budget-Friendly Options
- 6. Navigating Sexual Harabment Investigation Training Guide eBook Formats
 - o ePub, PDF, MOBI, and More
 - Sexual Harabment Investigation Training Guide Compatibility with Devices
 - Sexual Harabment Investigation Training Guide Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Sexual Harabment Investigation Training Guide
 - Highlighting and Note-Taking Sexual Harabment Investigation Training Guide
 - Interactive Elements Sexual Harabment Investigation Training Guide
- 8. Staying Engaged with Sexual Harabment Investigation Training Guide
 - o Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Sexual Harabment Investigation Training Guide
- 9. Balancing eBooks and Physical Books Sexual Harabment Investigation Training Guide
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Sexual Harabment Investigation Training Guide
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Sexual Harabment Investigation Training Guide
 - $\circ\,$ Setting Reading Goals Sexual Harabment Investigation Training Guide
 - Carving Out Dedicated Reading Time

- 12. Sourcing Reliable Information of Sexual Harabment Investigation Training Guide
 - Fact-Checking eBook Content of Sexual Harabment Investigation Training Guide
 - Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
- 14. Embracing eBook Trends
 - Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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