

**DIOCESE OF DES MOINES**  
**Catholic Schools Policies/Regulations**

**STAFF PERSONNEL**

**Investigation of Sexual Harassment and/or Abuse by Staff Personnel**

The following procedures shall be implemented in the investigation of allegations of sexual harassment and/or abuse:

- 1) Any person having knowledge of sexual harassment and/or abuse should file a report with the school's designated Level-One investigator, by using the form, Alleged Sexual Harassment and/or Abuse by Staff Personnel Report.

Any school employee/volunteer receiving a verbal or written report of sexual harassment or abuse must immediately pass on the information to the Level-One investigator.

- 2) If the alleged victim of abuse is under age 19 and younger, the incident must first be reported to the Department of Human Services (DHS). Then the school should proceed with its investigation.
- 3) The Level-One investigator must secure a written report of the allegation and provide a copy to the person filing, the parents of alleged victim if below age 19, and the immediate supervisor of the employee/volunteer. The alleged offender named in the report shall receive a copy of the report at the time he/she is initially interviewed by the Level-One investigator.
- 4) The Level-One investigator shall complete an informal investigation within five working days following receipt of the written report. The investigator shall have access to any records of the alleged victim and alleged offender for the purpose of interviewing and investigating. Personnel under investigation are required to be placed on administrative leave.
- 5) If, in the opinion of the Level-One investigator, the alleged victim would be placed in eminent danger through continued contact between the alleged victim and alleged offender, provision shall be made to temporarily remove possible contact by or between the two.

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- 6) The Level-One investigation must be deferred, if the investigator believes the magnitude of the allegations suggest an immediate law enforcement investigation. If such is the case, the Level-One investigator shall contact the appropriate law enforcement officials, the person filing the report and the parents of alleged victim if the person is under 19 years of age. All steps involved in this process must be documented.
- 7) Within 5 days of receipt of the completed alleged Sexual Harassment and/or Abuse by Staff Personnel Report, the Level-One investigator shall interview the alleged victim, the alleged accused named in the report and any other persons who may have knowledge of the circumstances contained in the report. The investigator must notify the parent of a child in pre-kindergarten through grade 6 of the date and time of the interview and of the right to be present or to see and hear the interview or send a representative in the parents' place. The investigator should notify the parents of older involved students.
- 8) The designated investigator shall determine, by a preponderance of the evidence and based upon the investigator's training and experience and the credibility of the victim, whether it is likely that an incident took place between the victim and the accused. If an incident took place it is referred to Level II.
- 9) The Level-One Investigation of Sexual Harassment and/or Abuse by Staff Personnel form shall be completed within fifteen calendar days of receipt of the report unless the investigation was temporarily suspended. Copies of this completed form shall be given to the alleged victim, the parents of any involved person under age 19, the accused, and the immediate supervisor of the accused.
- 10) At the conclusion of the Level-One investigation, the person filing the report shall be notified of the next step.

The investigation may be concluded at Level-One if:

- a) there is no preponderance of evidence to support the allegation
- b) the complaint is withdrawn, the form should be marked "withdrawn". If a reason is given for the withdrawal, a dated memo stating such should be attached to the Alleged Sexual Harassment and/or Abuse by Staff Personnel Report form. The form shall be kept in the alleged accused's file.

All other cases shall be referred to the Level-Two investigator for further determinations.

Regulation Adopted: May 21, 1990

Regulation Revised: January 21, 2019