

UNCOVER

JORDAN SCHOOL DISTRICT INVESTIGATIONS

TRUTH

AUGUST 2025

GAYDOSH/BURGE

Tools to assist you in your investigation.






- Admin Only (employment.jordandistrict.org/AdminOnly)
 -  Complaint Documentation Form
 -  Witness Investigation Questions
 -  Drug/Alcohol Reasonable Suspicion Checklist
 -  Investigation procedures involving District employee computers
 -  Investigation Report Template
 - Risk Assessment Worksheet
 - UPPAC mandatory reporting
 - Meeting Notice of Investigation

Table Top Exercise

June 9, 2025

Dear Principal,

I have had it. I am demanding you do something about this situation. I met with you on September 30, 2024 and complained about April's behavior and her social media posts denigrating me. I expected that things would be resolved and for a time, I thought it had. However, things seem to be worse. I think I am being retaliated against for bringing my concerns to you. I just want to get to work and do my job but April has made my work here unbearable. I don't know why she has been acting this way but she has gone too far.

I am to the point of looking at my legal options unless you do something about this. Below are some of the worst posts she has made. Other employees are now looking at me funny or snickering behind my back. The last one was very threatening and I am worried about my safety. If you don't fire her or at least get her out of this building, I will file a hostile work environment and retaliation claim with the labor commission.

Sincerely frustrated,
Brent "Math is Life"

Table Top Exercise

October 1, 2024

Dear Principal,

I have been trying to mind my own business and do my job but Brent has made working here hard. Everything he does is meant to annoy and harass me. I have seen him following me around at work and have seen him at Costco. He always seems to be staring at me. I was provided these social media posts from a friend. He is creeping me out. Please help me so I can feel comfortable here at work.

April

"Chemistry rules the world"

ACTIONS THAT MIGHT TRIGGER AN INVESTIGATION



- Observations by employees or supervisors
- An employee complaint
- Receipt of a regulatory agency complaint
- Any other notification or indication
- UPPAC Notification
- Anonymous tips that could be credible

WHAT?

LITTLE “i” investigations, LEVEL 1, SCHOOL LEVEL ISSUES

- Attendance
- Instructional neglect
- Minor disregard of district policy
- Employee complaints
- Performance
- Attitude
- Communication

BIG “I” INVESTIGATIONS, LEVEL 2, DISTRICT LEVEL ISSUES

- Continued job performance issues
- Continued employee misconduct
- Safety concerns
- Drugs/Alcohol
- Physical or Sexual Assault
- Pornography
- Discrimination
- Harassment
- Theft
- Boundary Violations

HOW?

LITTLE “i” investigations/ SCHOOL LEVEL ISSUES

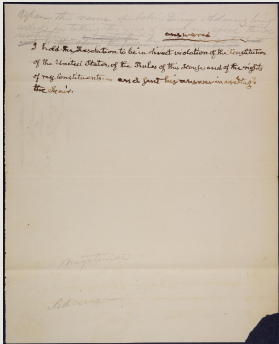
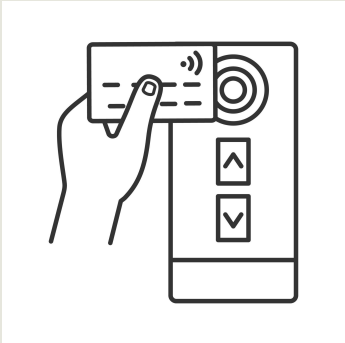
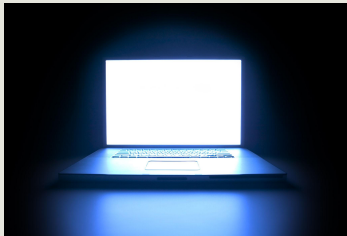
- Receive complaint (preferably in writing)
- Meet with accused and inform of misconduct
- Request a written response
- Complete investigation- (DOCUMENT)
- Principal determines** appropriate action:
 - No action, individual takes steps to improve/informal
 - Verbal warning/Summary of meeting
 - Written warning
 - Written reprimand

Reference Admin Only website for resources on correction and/or collaborate with HR Admin

BIG “I” INVESTIGATIONS/ DISTRICT LEVEL ISSUES

- Receive complaint from complainant (NEED this in writing)
- Contact HR Admin to formulate investigation plan
- Notify AOS
- Determine if Paid Admin Leave is warranted or if the police and/or DCFS should be notified
- Meet with the accused/respondent and inform of alleged misconduct and request a written response
- Complete investigation (DOCUMENT)
- Schedule Sanctions meeting with HR Admin for determination:**
 - Written Reprimand
 - Suspension
 - Probation
 - Termination

INVESTIGATION TOOLS



Interview Set up

Evidence Collection and Evaluation

- **Determine the investigation team:** Choose another administrator. The other person takes notes as the lead investigator is asking questions. Depending on the claim, having both male and female investigator is best.
- **Determine the interview questions:** Plan your questions but be prepared to pivot
- **Create a comfortable environment:** Choose a neutral, private, distraction-free setting. Your office may create a power imbalance
- **Neutral Tone:** Maintain an objective, non-judgmental demeanor. Avoid head nodding
- **Confidentiality:** You need to express your commitment to confidentiality but need to explain that confidentiality is not a guarantee
- **Listen Actively:** Pay attention to what's said and what's *not* said
- **Document everything:** Record all actions, observations, communications and evidence. Take detailed notes. Include body language without interpretation
- **Consider all types of evidence:** Don't base your investigation on limited information
- **Focus on facts, not opinions:** - Base findings on factual evidence and avoid hearsay or unsubstantiated claims

GENERAL PRINCIPLES FOR QUESTIONING IN ANY SCENARIO

- **Open-Ended First:** Start broad to get the individual's full perspective without leading them.
- **Fact-Finding:** Focus on who, what, when, where, why, and how.
- **Specific, Not General:** Ask about particular incidents, dates, and times.
- **Avoid Leading Questions:** Don't put words in their mouth or suggest answers.
- **Clarify Ambiguity:** If an answer is vague, ask for more details.
- **Address Inconsistencies:** If a statement conflicts with other information, gently ask for clarification.
- **Explore Motive/Intent (Carefully):** Once facts are established, you might gently inquire about *why* something happened, but avoid accusatory tones.
- **Ask about impact:** This can help you understand the severity of the situation and the potential impact to the school or team.
- **Ask About Documentation/Evidence:** "Do you have any emails, texts, or other records that support this?"
- "Is there anything else?" **Always ask if there's more they want to share.**

Legal definitions

Discrimination: Conduct, including words or gestures and other actions, which adversely affects an employee's working environment or results in disparate treatment based upon membership in a protected category (i.e. race, color, sex, pregnancy, childbirth or pregnancy-related conditions, religion, national origin, age (if the individual is 40 years of age or older), disability, sexual orientation or gender identity).

Legal definitions

Harassment: A form of discrimination that includes unlawful conduct of an offensive nature that is demeaning or derisive or occurs substantially because of the employee's membership in a protected category (i.e., race, color, sex, pregnancy, childbirth or pregnancy-related conditions, religion, national origin, age (if the individual is 40 years of age or older), disability, sexual orientation or gender identity) and which creates a hostile work environment. Harassment may include but is not limited to any of the three categories listed below:

Generalized Harassment:

Individually Targeted Harassment:

Criminal Harassment:

Legal definitions

In order to prove discrimination according to the Federal Title VII law, the following elements must be met:

- i. Complainant was a member of a protected class;
- ii. Complainant was subjected to unwelcome, unwanted conduct;
- iii. The conduct complained of was based on the protected class membership;
and
- iv. The conduct complained of was sufficiently severe or pervasive as to alter the terms and conditions of the Complainant's employment and create a hostile working environment OR when it results in an adverse employment decision.

Legal definitions

Retaliation: Any form or sanction, restraint, coercion, discrimination, harassment, or adverse treatment against a person because that person has asserted, or has assisted another person to assert, a discrimination or harassment complaint in either a formal or informal manner with the District, or with any state or federal agency, or because that person has testified, assisted or participated in any manner in an investigation, proceeding or hearing related to a discrimination or harassment complaint.

Legal definitions

In order to prove retaliation according to Federal Title VII law, the following elements must be met:

- i. Complainant opposed employment discrimination;
- ii. Respondent was aware of the opposition;
- iii. A reasonable employee would have found the challenged action materially adverse; and
- iv. Similarly situated individuals were or would have been treated more favorably than Complainant.

Table Top Exercise

In your group, develop Interview Questions to meet with Brent

5 Minutes

Choose an interviewer from your group.

Conduct your interview with Brent. Everyone take notes

10 Minutes max

Feedback? What went well? Should we have asked any question differently? Did we not ask a question we should have?

Common Misconceptions

- If I have an eye-witness, I don't need to investigate
- If it's not in writing, it's not a "complaint"
- If requested by the complainant to keep confidential, I can't investigate.
- If the complaint is withdrawn by the complainant, I don't have to investigate.
- If it is anonymous, I don't have to investigate.
- If it is one person's word against another's, it is futile to investigate.
- If I am sure of my findings after only interviewing the witnesses, I don't need to interview the employee being investigated.
- Once I meet with each party, I don't have to meet with them again.

Common Misconceptions

- Unless I have an admission, I cannot draw definitive conclusions, especially if the majority of what I learned was hearsay.
- If I only have circumstantial evidence of misconduct, I cannot discipline.
- I must have proof beyond a reasonable doubt.
- If law enforcement investigates, I do not have to investigate.
- If an employee claims a disability during the course of my investigation or is on FMLA, I cannot discipline.
- Assuming the respondent is guilty because he/she has been a problem before.

Table Top Exercise

In your group, develop Interview Questions to meet with April

5 Minutes

Choose a different interviewer from your group.
Conduct your interview with April. Everyone take notes

10 Minutes Max

Feedback? What went well? Should we have asked any question differently? Did we not ask a question we should have?

Retaliation Defenses

- **Demonstrate Legitimate, Non-Retaliatory Reasons:**
 - Employers should be able to show that any adverse action taken against an employee (e.g., termination, demotion, etc.) was based on legitimate, non-discriminatory reasons, such as poor performance, violation of company policy, or misconduct.
- **Adhere to Company Policy:**
 - Having clear and consistently enforced company policies regarding harassment, discrimination, and retaliation is vital. Employers should be able to demonstrate that they followed these policies when taking action against the employee.
- **Investigate Complaints Promptly and Thoroughly:**
 - When an employee raises a complaint, the employer should conduct a prompt and impartial investigation. Evidence of a thorough investigation can help counter claims that the complaint was ignored or mishandled.

Retaliation Defenses

- **Documentation is Key:**
 - Maintain detailed records of employee performance, disciplinary actions, complaints, and investigations. This documentation serves as evidence to support the employer's position and demonstrate that actions were taken for legitimate reasons.
- **Avoid Reactive Behavior:**
 - Be mindful of how actions are perceived by employees and avoid actions that could be interpreted as retaliatory, such as isolating the employee or denying them benefits given to others.
- **Consult with HR/AOS/Legal Counsel:**
 - When facing a potential retaliation claim, it's crucial to consult with those who can assist you. They can provide guidance on legal requirements, potential defenses, and how to best protect the District.

Disciplinary Actions

The district may elect to proceed with disciplinary action to warn the employee that his/her conduct places the employee in danger of termination during the contract term.

1. Oral Reprimand: Oral reprimand may be issued by the immediate supervisor.
2. Written Warning: Written warning is any memo of concern.
3. Written Reprimand: warns the employee that adverse employment action, which may include contract termination, may be taken.
4. Probation
5. Suspension/Termination

Table Top Exercise

In your group, complete your investigation and make a determination as to the allegations presented.

Recommend any warranted discipline

Are we required to notify UPPAC?

5 Minutes

Choose a new spokesperson and present your findings

Questions????

THANK



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YOU