

ANTI-BULLYING/HARASSMENT POLICY For Students and Adults

Bullying and/or harassment of students and adults are against federal, state and local policy, and are not tolerated by the Board.

For purposes of this policy, the definition of adults includes Board members, administrators, employees, parents, volunteers, vendors, and visitors or patrons of the District. The Board is committed to providing all persons with a safe and civil school environment in which all members of the school community are treated with dignity and respect. To that end, the Board has in place policies, procedures, and practices that are designed to reduce and eliminate bullying and harassment as well as processes and procedures to deal with incidents of bullying and harassment.

Bullying and/or harassment, on school grounds or at a school activity, of or by students or adults is prohibited.

This policy is in effect while students or adults are:

1. in all school buildings, on the school campus, in bus garages, administrative office, and parking lots within established school boundaries.
2. in close proximity to the school campus when discipline infractions occur in close proximity to the school day or away from school grounds or school events if the misconduct directly affects the good order, efficient management and welfare of the school district.
3. on school operated or chartered buses or while being transported under supervision of school personnel or in close proximity to the bus stop.
4. attending school-sponsored or school-related activities in which a district school participates, whether or not on district-owned premises. This includes events away from the school district if a district school participates.

Incidents Involving a Student or Students

The Board prohibits bullying, harassment, hazing, or any other victimization, of students, based on any of the following actual or perceived traits or characteristics, including but not limited to:

Age	Marital Status	Ancestry
Color	Sex	Political party preference
Creed	Sexual orientation	Political belief
National origin	Gender identity	Socioeconomic status
Race	Physical attributes	Familial status
Religion	Physical or mental ability or disability	

When looking at the totality of the circumstances, bullying and/or harassment mean any electronic, written, verbal, or physical act or conduct toward a student which is based on any actual or perceived trait or characteristic of the student and which creates an objectively hostile school environment that meets one or more of the following conditions:

- Places the student in reasonable fear of harm to the student's person or property;

- Has a substantially detrimental effect on the student's physical or mental health;
- Has the effect of substantially interfering with the student's academic performance; or
- Has the effect of substantially interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by a school.

"Electronic" means any communication involving the transmission of information by wire, radio, optical cable, electromagnetic, or other similar means. "Electronic" includes but is not limited to communication via electronic mail, internet-based communications, pager service, cell phones, electronic text messaging or similar technologies.

Bullying and/or harassment may include, but are not limited to, the following behaviors and circumstances:

- Repeated remarks of a demeaning nature;
- Implied or explicit threats concerning one's grades, achievements, property, etc.;
- Demeaning jokes, stories, or activities directed at the student; and/or
- Unreasonable interference with a student's performance.

Sexual harassment of a student by an employee means unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

- Submission to the conduct is made either implicitly or explicitly a term or condition of the student's education or benefits;
- Submission to or rejection of the conduct is used as the basis for academic decisions affecting that student; or
- The conduct has the purpose or effect of substantially interfering with the student's academic performance by creating an intimidating, hostile, or offensive education environment.

In situations between students and school officials, faculty, staff, or volunteers who have direct contact with students, bullying and harassment may also include the following behaviors:

- Requiring that a student submit to bullying or harassment by another student, either explicitly or implicitly, as a term or condition of the targeted student's education or participation in school programs or activities; and/or
- Requiring submission to or rejection of such conduct as a basis for decisions affecting the student.

Any student found to have retaliated in violation of this policy shall be subject to measures up to, and including, suspension and expulsion.

The school or school district will promptly and reasonably investigate allegations of bullying or harassment. Individuals who knowingly file a false complaint may be subject to appropriate disciplinary action.

Complaint Process

A student who alleges a complaint may first attempt to resolve the problem by discussing it with the building administrator. The building administrator may notify the actor of the problem. If the problem cannot be solved, the student may proceed to the

Student Grievances Procedure or file a complaint. The **Executive Director of Student & At-Risk Services** or designee will be responsible for handling all complaints by students alleging harassment.

Incidents Involving Only Adults (not involving students)

Bullying and/or harassment against adults of the District based upon race, color, creed, sex, sexual orientation, gender identity, national origin, religion, age or disability is prohibited.

This policy is in effect while adults are:

1. in all school buildings, on the school campus, in bus garages, administrative office, and parking lots within established school boundaries.
2. in close proximity to the school campus when discipline infractions occur in close proximity to the school day or away from school grounds or school events if the misconduct directly affects the good order, efficient management and welfare of the school district.
3. on school operated or chartered buses or while being transported under supervision of school personnel or in close proximity to the bus stop.
4. attending school-sponsored or school-related activities in which a district school participates, whether or not on district-owned premises. This includes events away from the school district if a district school participates.

Bullying and/or harassment mean any electronic, written, verbal, or physical act or conduct toward an adult which is based on any actual or perceived trait or characteristic of the person and which creates an objectively hostile school environment that meets one or more of the following conditions:

- Places the adult in reasonable fear of harm to person or property;
- Has a substantially detrimental effect on the person's physical or mental health;
- Has the effect of substantially interfering with the adult's ability to participate in or benefit from the services, activities, or privileges provided by a school.

"Electronic" means any communication involving the transmission of information by wire, radio, optical cable, electromagnetic, or other similar means. "Electronic" includes but is not limited to communication via electronic mail, internet-based communications, pager service, cell phones, electronic text messaging or similar technologies.

Bullying and/or harassment may include, but are not limited to, the following behaviors and circumstances:

- Verbal, nonverbal, physical or written harassment, bullying, hazing, or other victimization that have the purpose or effect of causing injury, discomfort, or fear;
- Repeated remarks of a demeaning nature;
- Implied or explicit threats concerning one's, achievements, property, etc.;
- Demeaning jokes, stories, or activities directed at the person; and/or
- Unreasonable interference with an adult's performance.

Sexual harassment of a student by an employee means unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

- Submission to the conduct is made either implicitly or explicitly a term or condition of the person's employment or benefits;
- Submission to or rejection of the conduct is used as the basis for school-related decisions affecting that person; or
- The conduct has the purpose or effect of substantially interfering with the person's performance by creating an intimidating, hostile, or offensive environment.

Any school employee found to be in violation of this policy shall be subject to measures up to, and including, termination of employment. Any other adults found to be in violation of this policy shall be subject to measures up to, and including, exclusion from school grounds.

Complaint Process

The school or school district will promptly and reasonably investigate allegations of bullying or harassment. The **Associate Superintendent for Human Resources & Equity** or designee will be responsible for handling all complaints by adults alleging bullying or harassment not involving students.

Responsibilities and Protections

Any person who promptly, reasonably, and in good faith reports an incident of bullying or harassment under this policy to a school official, shall be immune from civil or criminal liability relating to such report and to the person's participation in any administrative, judicial, or other proceeding relating to the report. Individuals who knowingly file a false complaint may be subject to appropriate disciplinary action.

Retaliation against any person, because the person has filed a bullying or harassment complaint or assisted or participated in a bullying or harassment investigation or proceeding, is also prohibited. Individuals who knowingly file false bullying or harassment complaints and any person who gives false statements in an investigation shall be subject to discipline by appropriate measures, as shall any person who is found to have retaliated against another in violation of this policy.

It shall be the responsibility of adults and students to act appropriately under this policy. It shall be the responsibility of the Superintendent and investigator to inform and educate employees/volunteers/patrons of the District or students and others involved with the school district about bullying or harassment and the school district's policy prohibiting bullying or harassment.

The Superintendent will also develop a process for evaluating the effectiveness of the policy in reducing bullying and harassment in the school district.

Legal Ref: 20 U.S.C. §§ 1221-1234i (2006).
29 U.S.C. § 794 (2006).
42 U.S.C. §§ 2000d-2000d-7 (2006).
42 U.S.C. §§ 12001 *et. seq.* (2006).
Iowa Code 280.28
Iowa Code §§ 216.9; 280.3 (2009).
281 I.A.C. 12.3(6).
Morse v. Frederick, 127 S.Ct. 2618 (2007)

Cross Ref: 103.0 Nondiscrimination
104.0 Equal Education Opportunity
503.2 Student Discrimination Policy
503.3 Student Grievance Policy
504.3 Student Conduct Code
402.4-E1 Complaint Form

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