

ANTI-BULLYING/ANTI-HARASSMENT INVESTIGATION PROCEDURES

Filing a Complaint

An individual who believes that they have been harassed or bullied may file a complaint with the Superintendent or Superintendent's designee. The complaint form is available on the District website (<https://www.waterlooschools.org/newpolicies/100-school-district/>). If the complainant is a school employee, after filing the complaint with the building administration, the employee may separately notify the parent or guardian of the student alleged to have been harassed or bullied.

An alternate investigator will be designated in the event it is claimed that the Superintendent or Superintendent's designee committed the alleged bullying or harassment or some other conflict of interest exists. Complaints shall be filed within 180 days of the event giving rise to the complaint or from the date the Complainant could reasonably become aware of such occurrence. The Complainant will state the nature of the complaint and the remedy requested. The Complainant shall receive assistance as needed.

Investigation

The school district will promptly and reasonably investigate allegations of bullying or harassment upon receipt of a written complaint. The Guidance Counselor or Building Administrator (hereinafter "Investigator") will be responsible for handling all complaints alleging bullying or harassment.

The investigation may include, but is not limited to the following:

- Interviews with the Complainant and the individual named in the complaint ("Respondent");
- A request for the Complainant to provide a written statement regarding the nature of the complaint;
- A request for the Respondent to provide a written statement;
- Interviews with witnesses identified during the course of the investigation;
- A request for witnesses identified during the course of the investigation to provide a written statement; and
- Review and collection of documentation or information deemed relevant to the investigation.

The investigator shall consider the totality of circumstances presented in determining whether conduct objectively constitutes bullying or harassment as defined in Board policy. Upon completion of any investigation, including those that may be deemed "inconclusive" or "unfounded", the Investigator shall issue a report with respect to the findings, and provide a copy of the report to the Director of Student Services and Associate Director of Student Services.

The complaint and identity of the Complainant, Respondent, or witnesses will only be disclosed as reasonably necessary in connection with the investigation or as required by law or policy. Similarly, evidence uncovered in the investigation shall be kept confidential to the extent reasonably possible.

Decision

The Investigator, Building Administrator, or Director of Student Services, depending on the individuals involved, shall inform the Complainant and the accused about the outcome of the investigation. If, after an investigation, a student is found to be in violation of the policy, the student shall be disciplined by appropriate measures, which may include suspension or expulsion. If, after an investigation, a school employee is found to be in violation of this policy, the employee shall be disciplined by appropriate measures, which may include termination. If, after an investigation, a volunteer or other adult is found to be in violation of this policy, the volunteer or other adult shall be subject to appropriate measures, which may include exclusion from school grounds.

A school employee, adult, volunteer, or student, or a student's parent or guardian who promptly, reasonably, and in good faith reports an incident of bullying or harassment, in compliance with the procedures in the policy adopted pursuant to this section, to the appropriate school official designated by the school district, shall be immune from civil or criminal liability relating to such report and to participation in any administrative or judicial proceeding resulting from or relating to the report.

Individuals who knowingly file false bullying and/or harassment complaints and any person who gives false statements in an investigation may be subject to discipline by appropriate measures, as shall any person who is found to have retaliated against another in violation of this policy. Any student found to have retaliated in violation of this policy shall be subject to measures up to, and including, suspension or expulsion. Any school employee found to have retaliated in violation of this policy shall be subject to measures up to, and including, termination of employment. Any volunteer or other adult found to have retaliated in violation of this policy shall be subject to measures up to, and including, exclusion from school grounds.

Information

The Director of Human Resources shall be responsible for organizing information programs for employees and adults that shall include how to recognize bullying or harassment and what to do in case an adult is bullied or harassed. The Director of Student Services will disseminate information to students annually that shall include how to recognize and what to do if a student is bullied or harassed.

Legal Ref: Iowa Code §§ 216.9; 280.28; 280.3; 279.82
 281 I.A.C. 12.3
 20 U.S.C. §§ 1221
 29 U.S.C. §§ 794
 42 U.S.C. §§ 12101; 2000d
 551 U.S. 339 *Morse v. Frederick*, 2007

Cross Ref.: 103.0 Nondiscrimination
 103.1 Anti-Bullying/Harassment Policy
 503.3 Student Grievance Policy
 900.6 Visitors to the Schools
 902.0 Public Conduct at School Activities

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