

Policy Title:

Anti-Bullying/Harassment: Students

Code No. ~~504.5~~
504.5.1

Harassment and bullying are against federal, state and local policy, and are not tolerated by the board. The board is committed to providing 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 harassment of students by students, staff, and/or volunteers, who have regular significant contact with students, will not be tolerated in the school or school district.

The Board of Education prohibits harassment, bullying, hazing, or any other victimization of a student based on any of the following actual or perceived traits or characteristics of a student, including but not limited to, age, color, creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical attributes, physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status, or familial status. (Pursuant to Code No. 500.0) The District also prohibits unlawful discrimination against its students, including discriminatory harassment on the basis of race, color, creed, sex, marital status, religion, national origin, disability, sexual orientation, gender identity, socio-economic status, or any other protected class identified in state or federal civil rights laws, which has the purpose or effect of creating an intimidating, hostile, or offensive education environment, unreasonably interferes with a student's academic performance, or affects a student's educational opportunities. ***Pursuant to Code 504.5.2 Discrimination and Harassment Based on Sex Prohibited*** the District has separate procedures for reports or complaints of sexual harassment governed by Title IX of the Education Amendments Act of 1972. The policy governing such instances is Code No. 504.5.2: ***Discrimination and Harassment Based on Sex Prohibited***. Procedures for addressing such reports or complaints are available as follows:

Electronically on the District website at www.cfschools.org/about-us/TitleIX

Paper copies are available in the administrative office and school counselor's office at each school as well as in the Human Resource Department in the Robinson Administration Center.)

This policy is in effect while students are on property within the jurisdiction of the board; while on school-owned, leased or school-operated vehicles; while attending or engaged in school-sponsored activities; and while away from school grounds if the misconduct directly affects the good order, efficient management and welfare of the school or school district.

If, after an investigation, a student is found to be in violation of this policy, the student shall be disciplined by appropriate measures including, but not limited to, suspension, exclusion, and expulsion. If, after an

investigation, an employee is found to be in violation of this policy, the employee shall be disciplined by appropriate measures including, but not limited to, termination of employment. If, after an investigation, a volunteer is found to be in violation of this policy, the volunteer shall be disciplined by appropriate measures including, but not limited to, exclusion from school grounds. All reports of bullying/harassment will be documented and reported to the Iowa Department of Education as required by law.

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

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

Electronic includes, but is not limited to, communication via electronic mail, internet-based communications, cell phones, electronic text messaging or similar technologies.

Harassment and bullying may include, but are not limited to, any of the following behaviors and circumstances:

- Verbal, nonverbal, physical or written harassment, bullying, hazing, or other victimization that has the purpose or effect of causing injury, discomfort, fear, or suffering to the targeted student
- Implied or explicit threats concerning one's grades, achievements, property, etc. that have the purpose or effect of causing injury, discomfort, fear, or suffering to the targeted student
- Demeaning jokes, stories, or activities directed at the student that have the purpose or effect of causing injury, discomfort, fear, or suffering to the targeted student
- Repeated remarks of a demeaning nature that have the purpose or effect of causing injury, discomfort, fear, or suffering to the targeted student
- Unreasonable interference with a person's performance or creation of an intimidating, offensive, or hostile environment

Sexual harassment 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 by the student is used as the basis for academic decisions affecting that student.
- The conduct has the purpose or effect of substantially interfering with the student's education by creating an intimidating, hostile, or offensive education environment.

In situations between students and school officials, faculty, staff, or volunteers who have 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
- Requiring submission to or rejection of such conduct as a basis for decisions affecting the student.

School employees, volunteers, parents or guardians, and students will assist with the enforcement of this policy, including, but not limited; to assisting with educational and preventative measures, reporting, and investigations of harassment or bullying. Any person who promptly, reasonably, and in good faith reports an incident of bullying or harassment under this policy to a school official or supervisor 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 or give false statements in an investigation may be subject to appropriate disciplinary action.

Retaliation against any person who filed a bullying or harassment complaint or who assisted or participated in a bullying or harassment investigation or proceeding is also prohibited. Any person found to have retaliated in violation of this policy shall be subject to appropriate disciplinary action.

The school or school district will promptly and reasonably investigate allegations of bullying or harassment. The superintendent or designee will be responsible for handling all complaints by students alleging bullying or harassment. Investigators will consider the totality of circumstances presented in determining whether conduct objectively constitutes harassment or bullying. The District will take action to halt any improper discrimination, harassment or bullying and will take other appropriate corrective actions, including disciplinary measures which may include discharge, suspension, expulsion, or exclusion of a perpetrator to remedy all violations of this policy.

It is the responsibility of the superintendent or designee, in conjunction with the investigator and principals, to develop procedures regarding this policy. The Board will annually communicate this policy. The policy may be publicized by the following means

- Inclusion in the student handbook
- Inclusion in the employee handbook
- Inclusion in registration materials
- Inclusion on the school or district websites
- Readily accessible in the principal and counselor offices
- Other

Date of Adoption: August 13, 2007

Date of Revision: October 27, 2008
January 14, 2013
April 8, 2013
June 12, 2017
July 8, 2019

ANTI-BULLYING/HARASSMENT COMPLAINT FORM

Name of complainant: _____

Position of complainant: _____

Name of student: _____

Date of complaint: _____

Name of person who
allegedly harassed or bullied: _____

Date and place of incident or incidents: _____

Description of misconduct: _____

Name of witnesses (if any): _____

Evidence of harassment or bullying, i.e., letters, photos, etc.
(attach evidence if possible): _____

Any other information: _____

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature: _____

Date: ____/____/____

Completed complaint form should be given to student's building principal

WITNESS DISCLOSURE FORM

Name of witness: _____

Position of witness: _____

Name of student: _____

Date of testimony, interview: _____

Description of incident witnessed: _____

Any other information: _____

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature: _____

Date: / /

Policy Title:

Anti-Bullying/Harassment: Students

Code No. **504.5.1R1**

ANTI-BULLYING/HARASSMENT INVESTIGATION PROCEDURES

Any person alleging a violation of this policy may file a complaint with the school district's equity coordinator. The complainant may be required to complete a written complaint form and to turn over copies of evidence of harassment and/or bullying including, but not limited to, letters, emails, tapes, signs, and pictures. The complainant shall receive assistance in completing the complaint form as needed.

The equity coordinator shall designate an investigator to promptly and reasonably investigate the complaint, who shall generally be the building administrator or designee. In the event the investigator is the alleged perpetrator, or otherwise has a conflict of interest, an alternate investigator shall be designated. The investigator shall commence an investigation and proceed to completion no later than thirty (30) days following receipt of the complaint. If the investigator needs more time to process the complaint, he/she shall notify the parties and keep them apprised of the status of the investigation. Both the complainant and the alleged perpetrator will be given an opportunity to be interviewed or give a statement. Witnesses may also be interviewed. District employees, students and volunteers shall fully and fairly cooperate in the investigation. The investigation shall be confidential to the extent consistent with the District's legal obligations and the necessity to investigate allegations of misconduct and take corrective action when this conduct has occurred.

The investigator shall prepare a written report of findings and conclusions, which shall be submitted to the equity coordinator. If, after investigation, a student is found to be in violation of this policy, the student shall be disciplined by appropriate measures, which may include suspension and expulsion. If, after 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 investigation, a school volunteer is found to be in violation of this policy, the volunteer shall be subject to appropriate measures, which may include exclusion from school grounds. Other corrective actions may be taken as appropriate.

No person shall retaliate against a student or other person because the student or other person has filed a harassment and/or bullying complaint, assisted or participated in an investigation, or has opposed language or conduct that violates this policy, as long as the participation or action was done in good faith. Persons who engage in retaliation or who knowingly file false complaints or give false statements in an investigation shall be subject to discipline up to and including suspension, expulsion, or termination of employment/service.

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Information about the incident will be entered in the district's computer system, whether founded or unfounded, using a district-approved form and process which complies with the Department of Education's reporting procedures.

The board recognizes that conduct which is alleged to violate this policy may violate other policies as well. Therefore, to the extent that a report or complaint of harassment and/or bullying involves an allegation of sexual harassment or other discrimination toward a student, the matter will also be processed in accordance with Code No. 500.0 regarding equal educational opportunity and Code No. 504.4 regarding abuse of students, as applicable.