

Title: Anti-Bullying/Harassment Involving Students

Harassment and bullying of students and employees violates federal, state and District policies and are not tolerated by the Board of Directors. 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. The Board has 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 other students, by school employees and by volunteers who have regular, significant and direct contact with students will not be tolerated in the school or District.

The Board prohibits harassment, bullying, hazing or any other victimization of students and employees based on any of the following actual or perceived traits or characteristics of the 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.

This policy is in effect while students, employees or volunteers are in school, while on District property, while in school-owned or school-operated vehicles, while attending or engaged in school functions or school-sponsored activities regardless of location and while away from District property if the misconduct directly affects the good order, efficient management and welfare of the school or District.

If, after an investigation, a student is found to be in violation of this 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 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.

Harassment and bullying can include, but may not be limited to, 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 as identified above 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,

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- 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” is defined as 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.

Harassment and bullying 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.

Discriminatory harassment of students may include, but is not limited to, verbal or physical conduct that has the purpose or effect of substantially interfering with the student's academic performance or other ability to participate in or benefit from an education program or activity, or creating an intimidating, hostile or offensive education environment.

The District has separate procedures for reports or complaints of sexual harassment covered by Title IX of the Education Amendments Act of 1972. These procedures are available on the District's website. A physical copy of these materials may be obtained from the Human Resources Department at the Educational Service Center. For reports or complaints of sexual harassment outside of the District's TitleIX jurisdiction, the District may follow any other applicable policy or procedure to respond to such a report or complaint.

In situations between students and school officials, faculty, staff or volunteers who have direct contact with students, bullying and harassment of students 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.

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Any school employee, volunteer, student, or parent/guardian who promptly, reasonably and in good faith reports an incident of bullying or harassment to the appropriate school official in compliance with school procedures shall be immune from civil or criminal liability relating to such report and to the person's participation in any administrative or judicial proceeding resulting from or relating to the report, to the extent provided by law. Individuals who knowingly file a false complaint may be subject to appropriate disciplinary action. District employees, students, parents, and volunteers shall fully and fairly cooperate in the investigation.

Retaliation or reprisal 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 in good faith, or opposed language or conduct that violates this policy, is prohibited. Individuals who knowingly file false harassment or bullying 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. Any student found to have retaliated in violation of this policy shall be subject to measures up to, and including, suspension and 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 school volunteer found to have retaliated in violation of this policy shall be subject to measures up to, and including, exclusion from school grounds.

The Board appointed investigator will be responsible for the handling of all complaints by students and employees alleging bullying or harassment and will promptly and reasonably investigate any allegations. The investigator will consider the totality of the circumstances presented in determining whether conduct objectively constitutes harassment or bullying under state law.

It also is the responsibility of the Superintendent, in conjunction with the investigator and principals, to develop procedures regarding this policy. The Superintendent also is responsible for organizing training for students, and employees. The training will include how to recognize harassment and what to do in case a student is harassed. It will also include proven effective harassment prevention strategies. Volunteers with regular, significant and direct contact with students will receive a copy of this policy and be instructed to report to an administrator any

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prohibited or suspected bullying or harassment behavior. The Superintendent will ~~also~~ develop a process for reviewing the effectiveness of prevention efforts in reducing bullying and harassment in the School District.

The policy will be publicized by the following means:

- District-wide Student and Family Handbook,
- Employee Procedures Guide and Intranet,
- District web site.

and a copy shall be made available at the district administrative office at 300 W Broadway, Suite 1600, Council Bluffs, IA 51503.

Cross References:  
102, 102.1, 102.2, 105, 405, 405.1, 512, 513.1, 513.2  
EEO Non-Discrimination Language  
Documentation Chart

Legal References:  
406, 511, 512, 513.1, 903, Title VI, Civil Rights  
Act 1964, Title IX of Education Amendments  
1972, Section 504 of Rehabilitation Act 1973,  
280.28, 281 IAC 12.3(13)

Approved: March 21, 1995

Reviewed: \_\_\_\_\_

Revised:

July 25, 2006  
Feb.26, 2008  
Mar. 30, 2010  
May 28, 2013  
July 22, 2014  
October 14, 2014  
June 23, 2015  
August 11, 2020