

ANTI-BULLYING/HARASSMENT AND DISCRIMINATION

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. As a result, harassment and bullying of students, school employees, applicants, vendors, visitors, and/or volunteers are not tolerated by the Board 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.

“Volunteer” is defined as an individual who has regular, significant contact with students and does not refer to non-district persons who serve in “one-time-only” functions.

The Board prohibits harassment, bullying, hazing, or any other victimization, of students, school employees, applicants, vendors, visitors, and/or volunteers, based on any of the following actual or perceived traits or characteristics, including but not limited to, age, gender, color, creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, veteran status, physical attributes, physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status, or familial status. Adherence to bona fide occupational/educational qualifications shall not be interpreted as discriminatory.

This policy is in effect while students, employees, applicants, vendors, visitors, and/or volunteers are on property within the jurisdiction of the Board; while on school-owned or school-operated vehicles; while attending or engaging 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 person is found to be in violation of this policy, he/she shall be disciplined by appropriate measures up to, and including:

- for a student, suspension and expulsion;
- for an employee, termination; and,
- for an applicant or school vendor, visitor, or volunteer, exclusion from school grounds.

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

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

“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.

Harassment and bullying 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, fear, or suffering to the victim;
- Repeated remarks of a demeaning nature that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim;
- 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 victim;
- Demeaning jokes, stories, or activities directed at the student that have the purpose or effect of causing injury, discomfort, fear or suffering to the victim; and/or
- Unreasonable interference with a person's performance or creation of an intimidating, offensive, or hostile environment.

For the purposes of this policy, sexual harassment is defined as unwelcome advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

- A. submission to such conduct is explicitly or implicitly made a term or condition of status in a class, pro-gram, or activity;
- B. submission to or rejection of such conduct is used as a basis for an educational decision affecting stu-dent; or
- C. such conduct has the purpose or effect of interfering with an performance, or of creating an intimidating, hostile, or offensive environment for learning.

Sexual overtures by a staff member to a student shall be investigated per the child abuse law in chapter 102 of the Iowa Department of Education administrative code. Any sexual overtures by a staff member to a student, whether welcome or unwelcome, are prohibited and shall be grounds for discipline, including discharge of the staff member.

The school or school district will promptly and reasonably investigate allegations of bullying or harassment.

Retaliation against any person, because the person has filed a bullying or harassment complaint or assisted or participated in a harassment investigation or proceeding, is prohibited. Individuals who knowingly file false 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.

The Board will annually publish this policy. The policy may be publicized by the following means:

- Inclusion in the student handbook
- Inclusion in the employee handbook
- Inclusion in the registration materials
- Inclusion on the school or school district's web site, ▪ (other)

Copies will be available to any person at the Educational Services Center at 1725 N. Dodge Street, Iowa City, IA 52245.

Date of Adoption: 10/23/07
Revised: 1/08
8/23/11

Reference:

Code of Iowa 708.7,
20 U.S.C. §§ 1221-1234
(2004)
29 U.S.C. §§ 794 (1994)
42 U.S.C. §§ 2000d-2000d-7
(2004) §
42 U.S.C. §§ 12001 et.seq.
(2004)
Senate File 61, 1st Regular
Session, 82nd General
Assembly, (2007)
Code of Iowa §§ 216.9; 280.3 (2007)
281 I.A.C. 12.3(6)
IASB Policy No. 104 (2011)
Code No. 106