

CHARLES CITY COMMUNITY SCHOOL DISTRICT

Student Personnel

Series 500

Policy Title – Harassment and Bullying Policy

Code No. 502.10

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

The board prohibits harassment, bullying, 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, 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. Harassment against employees based upon race, color, creed, sex, sexual orientation, gender identity, national origin, religion, age or disability is also prohibited.

This policy is in effect while students or employees are on property within the jurisdiction of the board; while on school-owned and/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 up to, and including, suspension and 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 up to, an including, 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 up to, and including, exclusion from school grounds. “Volunteer” means an individual who has regular, significant contact with students.

Harassment and bullying 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 that 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.

Harassment and bullying may include, but is 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 student’s performance or creation of an intimidating, offensive or hostile learning environment.

Sexual harassment means unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of 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 a school employee 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 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 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 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 harassment investigation or proceeding, is also 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. 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 school or school district will promptly and reasonably investigate allegations of bullying or harassment. The building principal or designee will be responsible for handling all complaints by students alleging bullying or harassment. The building principal or designee will be responsible for handling all complaints by employees alleging bullying or harassment.

It will also be the responsibility of the superintendent, in conjunction with the investigator and principals, to develop procedures regarding policy. The superintendent will also be responsible for organizing training programs for students, school officials, faculty, staff, and volunteers who have direct contact with students. 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. The superintendent will also develop a process for evaluating the effectiveness of the policy in reducing bullying and harassment in the board. The superintendent shall report to the board on the progress of reducing bullying and harassment in board.

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.

and a copy shall be made to any person at the central administrative office at 500 North Grand Ave.

Legal References:

20 U.S.C. §§ 1221-1234i
(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).
Iowa Code §§ 216.9; 280.3
(2007).
281 I.A.C. 12.3(6).

Date of Adoption: January 10, 2000

Revised: August 14, 2006

Revised: September 10, 2007

CHARLES CITY COMMUNITY SCHOOL DISTRICT

Student Personnel

Series 500

Policy Title – Student-To-Student Harassment
Investigation Procedures

Code No.502.10R
Administrative Regulation

Students who feel that they have been harassed should:

- If the student is comfortable doing so, the student should communicate to the harasser that the student expects the behavior to stop. If the student wants assistance communicating with the harasser, the student should ask a teacher, counselor or principal to help.
- If the harassment does not stop, or the student does not feel comfortable confronting the harasser, the student should:
 - tell a teacher, counselor or principal; and
 - write down exactly what happened, keep a copy and give another copy to the teacher, counselor or principal including;
 - what, when and where it happened;
 - who was involved;
 - exactly what was said or what the harasser did;
 - witnesses to the harassment;
 - what the student said or did, either at the time or later;
 - how the student felt; and
 - how the harasser responded.

COMPLAINT PROCEDURE

A student who believes that she/he has been harassed is encouraged to file a complaint with the principal, assistant principal or juvenile court liaison officer. The principal will determine who will investigate the complaint. The student will be asked to complete the Harassment Complaint form and turn over evidence of the harassment, including, but not limited to, letters, tapes, or pictures. Information received during the investigation is kept confidential to the extent possible.

The investigator, with the approval of the principal, may initiate a harassment investigation in the absence of a written complaint.

INVESTIGATION PROCEDURE

The investigator will reasonably and promptly commence the investigation upon receipt of the complaint. The investigator will interview the complainant and the alleged harasser. The alleged harasser may file a written statement refuting or explaining the behavior outlined in the complaint. The investigator may also interview witnesses as deemed appropriate.

Upon completion of the investigation, the investigator will make written findings and conclusions as to each allegation of harassment and report the findings and conclusions to the principal. The investigator will provide a copy of the findings of the investigation to the principal.

RESOLUTION OF THE COMPLAINT

Following receipt of the investigator's report, the principal may, if she/he is not the investigator, investigate further, if deemed necessary, and make a determination of any appropriate additional steps which may include discipline, up to and including, suspension and expulsion.

Prior to the determination of the appropriate remedial action, the principal may, at the principal's discretion, interview the complainant and the alleged harasser. The principal will file a written report closing the case and documenting any disciplinary action taken or any other action taken in response to the complaint. The complainant, the alleged harasser and the investigator will receive notice as to the conclusion of the investigation.

POINTS TO REMEMBER IN THE INVESTIGATION

- Evidence uncovered in the investigation is confidential.
- Complaints must be taken seriously and investigated.
- No retaliation will be taken against individuals involved in the investigation process.
- Retaliators will be disciplined up to and including suspension and expulsion.

CHARLES CITY COMMUNITY SCHOOL DISTRICT
HARASSMENT/BULLYING/HAZING COMPLAINT FORM

Is this form being filed because of retaliation for filing an earlier complaint?

Yes _____ No _____

Name of complainant: _____
(Student, Parent, Employee, Other – Please specify)

Date of complaint: _____

Name(s) of student(s) alleged to be responsible for the incident: _____

Describe what happened: _____

Date and place of incident(s): _____

Why do you think the incident(s) occurred?

Name of witness(es):

Is there any documentation of the incident? Yes _____ No _____
If yes, please attach evidence.
If no, please explain why not

Any other relevant information:

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

Signature of Complainant

