

ANTI-BULLYING/HARASSMENT POLICY

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 other students, by school employees, and by 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 the employee's race, color, creed, sex, sexual orientation, gender identity, national origin, religion, age, disability or genetic information is also prohibited.

Student Bullying and Harassment

When looking at the totality of the circumstances, 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:

1. Places the student in reasonable fear of harm to the student's person or property;
2. Has a substantially detrimental effect on the student's physical or mental health;
3. Has the effect of substantially interfering with the student's academic performance, or;
4. 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 are not limited to, the following behaviors and circumstances:

1. 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,
2. Repeated remarks of a demeaning nature that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim;

3. Implied or explicit threats concerning one's grades, achievement, property, etc. that have the purpose or effect of causing injury, discomfort, fear or suffering to the victim;
4. 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
5. Unreasonable interference with a student's performance or creating of an intimidating, offensive, or hostile learning environment.
6. Conduct including but not limited to "sexual behavior" as defined under Code No 103.R2 (bullying may also include harassment on the basis of sex that does not constitute "sexual harassment" under Code No 103.R2)

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:

1. 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,
2. Requiring submission to or rejection of such conduct as a basis for decisions affecting the student.

This policy is in effect while students or employees are on property within the jurisdiction of the board; while on school-owned 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.

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 a false complaint may be subject to appropriate disciplinary action.

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. "Volunteer" means an individual who has regular, significant contact with students.

Employee Harrassment

Harrasment of employees means any unwelcome conduct toward an employee which is based on the employee's membership in a protected class and which creates an objectively hostile work environment., It can include sexual harassment or other forms of harassment.

- A. Sexual Harassment: Sexual harassment consists of unwelcome and unsolicited

sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal, physical or written conduct or communication of a sexual nature when:

1. Submission to that conduct or communication by an individual is made a term or condition, either explicitly of obtaining or retaining employment;
2. Submission to or rejection of that conduct or communication by an individual is used as a factor in decision affecting the individual's employments; or
3. That conduct has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile or offensive employment environment.

Examples of conduct that may constitute sexual harassment may include, but are not limited to:

1. Unwelcome verbal harassment or abuse, or unwelcome written harassment or abuse, including through the Internet or e-mail;
 2. Unwelcome sexual advances or pressure for sexual activity;
 3. Unwelcome, sexually motivated or inappropriate patting, pinching, or physical contact, other than necessary restraint of students by teachers, administrators or other school personnel to avoid physical harm to persons or property,
 4. Unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment status or implied or over promises of preferential treatment with regard to an individual's employment status;
 5. Unwelcome behavior or words directed at an individual because of gender;
 6. Coercing, forcing or attempting to coerce or force the touching of anyone's intimate parts;
 7. Coercing, forcing or attempting to coerce or force sexual intercourse or a sexual act on another;
 8. Threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another;
 9. Graffiti of a sexually offensive nature;
 10. Sexual gestures or jokes; or
 11. Spreading rumors about or rating other individuals as to sexual activity or performance.
- B. Harassment: Other forms of harassment consist of physical, verbal or written conduct relating to an individual's age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion, disability, or genetic information when the conduct:
1. Has the purpose or effect of creating an intimidating, hostile or offensive employment environment
 2. Has the purpose or effect of substantially or unreasonably interfering with an individual's employment performance; or
 3. Otherwise adversely affects an individual's employment opportunities.

Examples of conduct that may constitute harassment based on age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion, disability, or genetic information include, but are not limited to:

1. Threatening or intimidating conduct directed at others because of age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion, disability, or genetic information, including through the Internet or e-mail;
2. Slurs, negative stereotypes and hostile acts based on age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion, disability, or genetic

information;

3. Otherwise adversely affects an individual's employment opportunities.

Examples of conduct that may constitute harassment based on age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion, disability, or genetic information include but are not limited to:

1. Threatening or intimidating conduct directed at others because of age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion, disability, or genetic information, including through the Internet or email;
2. Slurs, negative stereotypes and hostile acts based on age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion, disability, or genetic information;
3. Graffiti containing offensive language that is derogatory to others because of their age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion, disability, or genetic information;
4. Written or graphic material containing comments or stereotypes which is posted or circulated (including through e-mail or the Internet) and which is aimed at degrading individuals because of age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion, disability, or genetic information; or
5. A physical act of aggression or assault upon another because of, or in a manner reasonably related to, the individual's age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion, disability, or genetic information.

General Considerations

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 principal or designee will be responsible for handling all complaints by students alleging bullying or harassment. The principal or designee will be responsible for handling all complaints by employees alleging harassment. The Superintendent will serve as the alternate investigator. Formal complaints and informal reports of bullying constituting sexual harassment will be referred to the Title IX Coordinator and will be governed by the provisions of Code No. 103.R2.

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 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 school district.

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

1. Inclusion in the student handbook,
2. Inclusion in the employee handbook
3. Inclusion in the registration materials
4. 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 P.O. Box 88, Keota, IA 52248.

Code No.105

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Legal References: 20 U.S.C. §§ 1221-1234i (2010).
29 U.S.C. § 794 (2010).
42 U.S.C. §§ 2000d- 2000d-7 (2010)
42 U.S.C. §§ 12101 *et. seq.* (2010)
Iowa Code §§ 216.9; 280.28; 280.3 (2011).
281 I.A.C. 12.3(6).
Morse v. Frederick, 127 S.Ct. 2618 (2007)

Cross References: 502 Student Rights and Responsibilities
503 Student Discipline
506 Student Records

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Revised:

KEOTA COMMUNITY SCHOOL DISTRICT
ANTI-BULLYING/HARASSMENT COMPLAINT FORM

Name of complainant: _____

Position of complainant: _____

Name of alleged harasser
Or bully: _____

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): _____

What complainant has done to try and stop harassment: _____

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: _____

(This form may, but need not, be used to file a complaint of sex discrimination. See Code No 103.R2)

KEOTA COMMUNITY SCHOOL DISTRICT
ANTI-BULLYING/HARASSMENT WITNESS DISCLOSURE FORM

Name of witness: _____

Position of witness: _____

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: _____

KEOTA COMMUNITY SCHOOL DISTRICT
ANTI-BULLYING/HARASSMENT COMPLAINT FORM
INVESTIGATOR FINDINGS
(To be completed by the Principal or Superintendent)

Name of investigator: _____

Dates investigated: _____

Notes:

Findings: _____ Complaint was unfounded

_____ Complaint did not meet the definition of harassment in policy

_____ Complaint met definition of harassment (check all that apply)

_____ 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

_____ Has the effect of substantially interfering with the student's academic performance

_____ 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

Basis of harassment (circle all that apply)

Age	Color	Creed
National Origin	Race	Religion
Marital Status	Gender	Sexual Orientation
Gender Identity	Physical Attributes	Disability
Ancestry	Political Party	Political Belief
SES	Familial Status	