

Policy 104: Anti-Bullying/Harassment Policy

Status: ADOPTED

Original Adopted Date: 09/12/2020 | **Last Reviewed Date:** 10/12/2020

The Madrid Community School District is committed to providing all students, employees, and volunteers with a safe and civil school environment in which all members of the school community are treated with dignity and respect.

Bullying and/or harassing behavior can seriously disrupt the ability of school employees to maintain a safe and civil environment, and the ability of students to learn and succeed.

Bullying and/or harassment of or by students, employees, and volunteers is against federal, state, and local policy and is not tolerated by the board.

Accordingly, school employees, volunteers, and students shall not engage in bullying or harassing behavior while on school property, while on school-owned or school-operated vehicles, while attending or participating in school-sponsored or sanctioned activities, and while away from school grounds if the conduct materially interferes with the orderly operation of the educational environment or is likely to do so.

Complaints may be filed with the superintendent or superintendent's designee pursuant to the regulation accompanying this policy. Complaints will be investigated within a reasonable time frame.

A school employee, volunteer, or student, or a student's parent or guardian who promptly, reasonably, and in good faith reports an incident of bullying or harassment, in compliance with the procedures in the regulation, to the appropriate school official designated by the school district, shall be immune from civil or criminal liability relating to such report and to participation in any administrative or judicial proceeding resulting from or relating to the report.

Retaliation Prohibited

Individuals who knowingly file false bullying or harassment complaints and any person who gives false statements in an investigation may be subject to discipline by appropriate measures.

Any student found to have violated or retaliated in violation of this policy shall be subject to measures up to, and including, suspension and expulsion. Any school employee found to have violated or retaliated in violation of this policy shall be subject to measures up to, and including, termination of employment. Any school volunteer found to have violated or retaliated in violation of this policy shall be subject to measures up to, and including, removal from service and exclusion from school grounds.

Definitions

For the purposes of this policy, the defined words shall have the following meaning:

- "Electronic" means any communication involving the transmission of information by wire, radio, optic cable, electromagnetic, or other similar means. "Electronic" includes but is not limited to communication via electronic mail, internet-based communications, pager service, cell phones, and electronic text messaging.
- "Harassment" and "bullying" mean any repeated or potentially repeated electronic, written, verbal, or physical act or other ongoing conduct toward an individual based on any trait or characteristic of the individual which creates an objectively hostile school environment that meets one or more of the following conditions:
 1. Places the individual in reasonable fear of harm to the individual's person or property.
 2. Has a substantial detrimental effect on the individual's physical or mental health.
 3. Has the effect of substantially interfering with the individual's academic or career performance. Has the effect of substantially interfering with the individual's ability to participate in or benefit from the services, activities, or privileges provided by a school.
- "Trait or characteristic of the individual" includes but is 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.
- "Volunteer" means an individual who has regular, significant contact with students.

Publication of 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) _____

I.A.C. Iowa Administrative Code References

281 I.A.C. 12.3

Description

Administration -
<https://simbli.eboardsolutions.com/SU/L3CskFik8aC3VhP8qtplusLfg==>

I.C. Iowa Code References

Iowa Code § 216.9

Description

Unfair/Discriminatory Practices -
<https://simbli.eboardsolutions.com/SU/AjpluscGJpbLzrhwxzsGSZ50Q==>

Iowa Code § 280.28

Harassment and Bullying Prohibited -
<https://simbli.eboardsolutions.com/SU/j8o0V5kql0Zbaasd66pSslshA==>

Iowa Code § 280.3

Education Program - Attendance Center Requirements -
<https://simbli.eboardsolutions.com/SU/2BAEZrp3RPZWgplusNf4lu5EQ==>

U.S. Supreme Court References

551 U.S. 393

Description

Morse v Frederick (2007) -
<https://simbli.eboardsolutions.com/SU/02slshzkwUr38RHcxzpluslfN3g==>

U.S.C - United States Code References

20 U.S.C. §§ 1221

Description

Education - FERPA - General Provisions -
<https://simbli.eboardsolutions.com/SU/o21PrKDLuq1CKUXkjbvB6SQ==>

29 U.S.C. §§ 794

Labor - Vocation Rehab Rights -
<https://simbli.eboardsolutions.com/SU/H0hiXugjbhn3pucEplusYVZrA==>

42 U.S.C. § 12101

Public Health - Equal Opportunity - Disabilities -
<https://simbli.eboardsolutions.com/SU/CL0bOQJzQgYkg4BsSzU2Gw==>

42 U.S.C. § 2000d

Public Health - Civil Rights - Federally Programs -
<https://simbli.eboardsolutions.com/SU/YL6086vqZ8wnTBSHyjGCHg==>

Cross References

102

Description

Equal Educational Opportunity -
<https://simbli.eboardsolutions.com/SU/qOHpkqfooj907R6ul2LkSw==>

102-R(1)

Equal Educational Opportunity - Grievance Procedure -
<https://simbli.eboardsolutions.com/SU/tDgQMuplusnhqkBdZ2RoC5RLA==>

102-E(1)

Equal Educational Opportunity - Annual Notice of Nondiscrimination -
<https://simbli.eboardsolutions.com/SU/SRiErPcg7teX2va40bQpluszQ==>

102-E(2)

Equal Educational Opportunity - Continuous Notice of Nondiscrimination -
<https://simbli.eboardsolutions.com/SU/MCjrhcbBhlyF57vIZTdyoQ==>

102-E(3)

Equal Educational Opportunity - Notice of Section 504 Student and Parental Rights -
<https://simbli.eboardsolutions.com/SU/8v0RSobVslshCfZFKkbj3eVtg==>

102-E(4)	Equal Educational Opportunity - Discrimination Complaint Form - https://simbli.eboardsolutions.com/SU/FplusuLba7GomsvoSWQwaIOHQ==
102-E(5)	Equal Educational Opportunity - Witness Disclosure Form - https://simbli.eboardsolutions.com/SU/YpAYSjX2M2rwG2v3IVELJg==
102-E(6)	Equal Educational Opportunity - Disposition of Complaint Form - https://simbli.eboardsolutions.com/SU/ldUCiBqMTslshJslshfbqttJ423Q==
401.01	Equal Employment Opportunity - https://simbli.eboardsolutions.com/SU/3lIQkko1TgOeazoUEUzp1Q==
401.13	Staff Technology Use/Social Networking - https://simbli.eboardsolutions.com/SU/DwpF0YoDmpkrR9LGVFOkuA==
401.13-R(1)	Staff Technology Use/Social Networking - Regulation - https://simbli.eboardsolutions.com/SU/nHa7ZKkqOSK57t3JHIYm7A==
402.03	Abuse of Students by School District Employees - https://simbli.eboardsolutions.com/SU/i8UuiErsIsh7iT69xXMvyAU4A==
404	Employee Conduct and Appearance - https://simbli.eboardsolutions.com/SU/MAP9GT2RjkzBADVUshl7w==
404-R(1)	Employee Conduct and Appearance - Code of Professional Conduct and Ethics Regulation - https://simbli.eboardsolutions.com/SU/vOL2DP1yzkPFpY3rw2xYtQ==
404-R(2)	Employee Conduct and Appearance - Code of Rights and Responsibilities Regulation - https://simbli.eboardsolutions.com/SU/e75slsh1j0vGlzPaealfHwvuw==
604.11	Appropriate Use of Online Learning Platforms - https://simbli.eboardsolutions.com/SU/ywslshDas8gIBllem2L24svslshA==
605.06	Internet - Appropriate Use - https://simbli.eboardsolutions.com/SU/jlXxVS9v3slshgKYWlslshAAslshkVQ==
605.06-R(1)	Internet - Appropriate Use - Regulation - https://simbli.eboardsolutions.com/SU/XQjNJB8KTXvXRegKLWxkGw==

COMPLAINT FORM
(Discrimination, Anti-Bullying, and Anti-Harassment)

Date of complaint: _____

Name of Complainant: _____

Are you filling out this form
for yourself or someone else
(please identify the
individual if you are
submitting on behalf of
someone else): _____

Who or what entity do you
believe discriminated
against, harassed, or bullied
you (or someone else)? _____

Date and place of alleged
incident(s): _____

Names of any witnesses (if
any): _____

Nature of discrimination, harassment, or bullying alleged (check all that apply):

☐	Age	☐	Physical Attribute	☐	Sex
☐	Disability	☐	Physical/Mental Ability	☐	Sexual Orientation
☐	Familial Status	☐	Political Belief	☐	Socio-economic Background
☐	Gender Identity	☐	Political Party Preference	☐	Other – Please Specify:
☐	Marital Status	☐	Race/Color	☐	
☐	National Origin/Ethnic Background/Ancestry	☐	Religion/Creed	☐	

In the space below, please describe what happened and why you believe that you or someone else has been discriminated against, harassed, or bullied. Please be as specific as possible and attach additional pages if necessary.

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

Signature: _____ Date: _____