STUDENT PERSONNEL

Series 500

Policy Title: Anti-Bullying / Harassment / Hazing

Code Number: AR504.4

Bullying or Harassment can take many forms and can occur directly or indirectly. Some examples include teasing, name calling, inappropriate sexual comments, unwanted advances, taunting, threats to injure, embarrassing someone, shunning, spreading rumors, offensive gestures; and physical harm, such as hitting, kicking, punching, tripping, pushing, and destroying property.

Anti-harassment policies and procedures will apply to incidents that create a hostile environment on school grounds or at school-sponsored activities.

I. PROCEDURES FOR RESOLUTION OF BULLYING / HARASSMENT / HAZING COMPLAINTS

A preponderance of the evidence ("more likely than not") standard will apply and procedures will not require the target of the harassment to appear in same administrative hearing room as the accused.

Interim measures may be taken for the person who is the target of the harassment. Examples of such measures may include, but not be limited to the following:

• implementing a student safety plan;
• providing counseling or other services;
• providing academic support services;
• contacting law enforcement
Students who feel that they have been bullied, harassed, or hazed should report the incident immediately to a teacher, counselor, or principal, and write down exactly what happened.

A. Level I - Building Principal or Staff Member

The Sioux City Community Schools will promptly and reasonably investigate allegations of bullying, harassment, or hazing. Every effort will be made to resolve the complaint informally at the building level.

Students who feel that they have been bullied, harassed, or hazed should report that incident or occurrence to any staff member. Staff members who receive a complaint or witnesses of bullying, harassment, or hazing must report the incident to a building administrator immediately. The principal or assistant principal will gather additional information from the complainant and the alleged harasser. If it is determined by the building administrator that bullying, harassment, or hazing has occurred, disciplinary action shall be taken in accordance with the K-12 Discipline Code and written documentation of the disciplinary action or other action taken in response to the infraction will be documented.

The building principal or his/her designee shall provide a written response to the involved parties within 5 working days of the initial report. This Level is optional and may be bypassed if the complainant wishes to file a formal complaint by following the procedures in Level II. Either party may appeal to Level II.
B. **Level II - Director of Student Services and Equity Education**

In the event the complainant wishes to bypass Level I or is not satisfied with the decision made at Level I, the complainant may formalize the complaint in writing on a Bullying / Harassment / Hazing Complaint Form, which may be obtained from the building principal, student handbook, or the District website. The form must be submitted to the Director of Student Services and Equity Education within five (5) working days after the response at Level I. The complainant may request that a meeting concerning the complaint be held with the Director of Student Services and Equity Education. A parent, guardian or other counsel may accompany a minor student. The Director of Student Services and Equity Education, as the designee of the Superintendent, will investigate the complaint and attempt to resolve it. The Director will consider the totality of the circumstances presented in determining whether conduct objectively constitutes bullying, harassment, or hazing. Within ten (10) working days after receipt of the complaint, a written report from the Director of Student Services and Equity Education regarding findings and action taken will be sent to the complainant, other involved parties, as well as the superintendent.

C. **Level III - Superintendent**

In the event either party is not satisfied with the decision made at Level II, they may submit a written appeal to the superintendent within five (5) working days after receipt of the Level II written report. Either party may request a meeting with the superintendent. The superintendent may request a meeting to discuss the appeal. Within five (5) working days after receipt of the written appeal, the superintendent will send a decision in writing to the complainant and other involved parties.

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First Adoption: July 17, 2007
42 U.S.C. §§ 12101 et. seq.
Iowa Code §§ 216.9; 280.28; 280.3
281 I.A.C. 12.3(6).
*Morse v. Frederick*, 551 U.S. 393 (2007)
D. Level IV - Board of Directors

In the event either party is not satisfied with the decision made at Level III, they may submit a written appeal to the Board of Directors within ten (10) working days after receipt of the Level III decision. The Board of Directors may, in its sole discretion, implement a Board Hearing Panel for purposes of addressing and resolving a complaint at this Level. The complainant may request a meeting with the Board of Directors or its designee. Within twenty (20) days after receipt of the written appeal, the Board of Directors or its designee shall determine what action should be taken to resolve the matter. The decision of the Board of Directors or its designee shall be final and a written decision will be delivered to the parties within five (5) working days after the decision is made.

II. IMMUNITY. Pursuant to the Code of Iowa, a school employee, volunteer, or student, or a student’s parent or guardian, who promptly, reasonably, and in good faith reports an incident of harassment or bullying in compliance with the procedures adopted by the District, 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.

III. COLLECTION REQUIREMENT. The Director of Student Services and Equity Education shall maintain a system to collect bullying, harassment, and hazing incident data.

IV. INTEGRATION OF POLICY AND REPORTING. The Director of Curriculum and Assessment shall integrate the District’s anti-bullying, anti-harassment, and hazing policy into the comprehensive school improvement plan required under Iowa Code section 256.7, subsection 21, and shall report data collected, as specified by the Iowa Department of Education, to the public.

V. NOTIFICATION. Pursuant to the designation and directive of the Superintendent, the Director of Student Services and Equity Education will provide copies of the Bullying, Harassment, and Hazing policy to school employees, volunteers, students, and parents or guardians by publication in student and employee handbooks. The policy shall be published in additional school communications throughout the school year, as appropriate (i.e. newsletters, school website, or public media). Training on the Bullying, Harassment, and Hazing policy shall take place at the beginning of each school year and included, as part of new employee and student orientation.