

MAJOR REVISION

Students

Series 500

Policy Title Harassment-Students

Code No. 504.14

The Marshalltown Community School District is committed to providing a safe learning environment where **ALL** members of the school community are treated with dignity and respect. Harassment, intimidation and bullying of students by Board members, administrators, employees, parents, students, vendors, and others doing business with the district will not be tolerated.

Under the First Amendment, a school is both safe and free when all members of the school community commit to addressing their differences with courtesy and respect. A safe school is free of bullying and harassment and a free school is safe for student speech even about issues that divide us.

Harassment is any abusive and/or degrading behavior directed toward another person or group of persons that results in physical, emotional, or mental harm, damage to property, or substantially interferes with the educational environment, or is severe, persistent, or pervasive that it creates an intimidating or threatening environment, or substantially disrupts the orderly operation of the school. Harassment includes, but is not limited to:

- Derogatory words
- Hostile communications
- Demeaning drawings
- Lewd comments or gestures
- Damage to a person's property
- Threats
- Inappropriate touching (nonconsensual)

Sexual harassment includes, but is not limited to, unwelcome touching and sexual advances, requests for sexual favors, and other written, pictorial, verbal, or physical conduct when:

- a. submission to such conduct is made either implicitly or explicitly a term or condition of an individual's educational well-being;
- b. submission to or rejection of such conduct by an individual is used as the basis for education evaluation decisions affecting such individual; or
- c. such conduct has the purpose or effect of unreasonably interfering with an individual's education or creating an intimidating, hostile, or offensive learning environment.

This policy is in effect while students are on properties within the jurisdiction of the school district, as well as non-school district property if the student is at a school-sponsored, school-approved, or school-related activity or function. (See "Areas where disciplinary control is exercised", Policy 502.1, Student Behavior and Discipline.)

To reduce harassment and ensure a respectful school environment, the administration is responsible for providing notification to parents, students, and vendors and age-appropriate education to students regarding this policy, as well as on-going training for school officials, faculty, staff, and volunteers who have direct contact with students. The training will include, but not be limited to:

- a. awareness of federally protected groups (race, gender, religion, age, and disability) and other targeted groups (ethnicity, national origin, sexuality, sexual identity, socioeconomic status, physical appearance, and/or family structure), whether real or perceived;
- b. how to recognize and react to harassment; and
- c. proven harassment prevention strategies.

The Superintendent shall develop a schedule for the delivery of annual on-going training, a process for evaluating the effectiveness of the training and will report annually to the Board and community.

The Marshalltown Community School District will promptly and reasonably investigate all allegations of harassment. Students who have been the target of harassment and students who have witnessed harassment should report such matters to a faculty or staff member. Faculty or staff members who receive such reports or who witness harassment shall report such incidents to a school administrator following the appropriate chain of command. The Superintendent shall be the alternative investigator for harassment complaints. If, after an investigation, an employee or student is found to be in violation of this policy, the employee or student shall be disciplined by measures up to and including suspension, discharge, expulsion or other appropriate action.

Retaliation against a student because the student has filed a bullying, intimidation or harassment complaint or assisted in a harassment investigation is also prohibited. Further, students who knowingly file false harassment complaints or give false statement in an investigation shall be subject to discipline by measure up to and including suspension and expulsion, as shall any student who is found to have retaliated against another in violation of this policy.

Adopted: March 8, 1993

Amended: March 25, 1996

Cross Reference: Nondiscrimination-600.1
Employee Discipline-403.3,409.2
Abuse-Employee Implicated-504.13
Harassment-Employees-405.8, 411.6

Legal Reference:

Meritor Savings Bank v. Vinson, 477 U.S. 57 (1986).
Hall v. Gus Const. Co., 842 F.2d 1010 (8th Cir. 1988).
Lynch v. City of Des Moines, 454 N.W.2d 827 (Iowa 1990).
42 U.S.C. §§ 2000e *et seq.* (1988). 29 C.F.R. Pt. 1604.11.
(1990). Iowa Code § [601A (1991).] 216.9, 280.3 (1995).