

**DIOCESE OF DAVENPORT  
BOARD OF EDUCATION**

**SERIES 400: STAFF PERSONNEL**

**POLICY 430**

**ANTI-BULLYING/HARASSMENT POLICY**

Harassment and bullying of students and employees are against federal, state and local policy, and are not tolerated by the Diocesan Board of Education. 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.

This policy is in effect while students or employees are on property within the jurisdiction of each local board of education; while in 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.

The Board prohibits harassment, bullying, hazing, or any other victimization of students, based on any of the following actual or perceived traits or characteristics: 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, national origin, religion, age or disability is also prohibited.

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:

- 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; 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 are not limited to, the following behaviors and circumstances:

- Repeated remarks of a demeaning nature;
- Implied or explicit threats concerning one's grades, achievements, property, etc.;
- Demeaning jokes, stories, or activities directed at the student; and/or
- Unreasonable interference with a student's performance.

Sexual harassment of a student by an employee or another student means unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a 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 is used as the basis for academic decisions affecting that student;
- The conduct has the purpose or effect of substantially interfering with the student's academic performance by creating an intimidating, hostile, or offensive educational environment.

Policy Adopted: June 3, 2007  
Policy Revised: June 10, 2009  
Policy Reviewed: May 17, 2010  
Policy Revised: December 2015  
Policy Revised: September 4, 2019  
Policy Promulgated: October 17, 2019

**DIOCESE OF DAVENPORT  
BOARD OF EDUCATION**

**SERIES 400: STAFF PERSONNEL**

In situations between students and school officials, faculty, staff, or volunteers, 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.

In the case of a student who threatens physical harm to another student for any reason, the perpetrator will be removed from the situation immediately. Reentry may be contingent upon a report from a competent mental health professional that the perpetrator is not perceived to be a threat to self or others. It may also be contingent upon a program of continued counseling.

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 proceedings relating to the report. Individuals who knowingly file a 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 will promptly and reasonably investigate allegations of bullying or harassment. The investigator or designee will be responsible for handling all complaints by students or employees alleging bullying or harassment.

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. The policies of the Iowa Board of Educational Examiners will be followed in all instances involving teachers and administrators. If, after an investigation, a school volunteer is found to be in violation of this policy, the volunteer shall be subjected to appropriate measures, which may include exclusion from school grounds.

It also is the responsibility of the superintendent, in conjunction with the investigators and principals, to develop procedures regarding this policy. The superintendent or designee 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.

Each local 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 and volunteer handbook
- Inclusion in the registration materials
- Inclusion on the school website, and the Diocesan website

And a copy shall be made available to any person at the administrative office of each school or the Diocese.

It is the responsibility of all adults who supervise students directly (teachers, recess supervisors teacher assistants, coaching

Policy Adopted: June 3, 2007  
Policy Revised: June 10, 2009  
Policy Reviewed: May 17, 2010  
Policy Revised: December 2015  
Policy Revised: September 4, 2019  
Policy Promulgated: October 17, 2019

**DIOCESE OF DAVENPORT  
BOARD OF EDUCATION**

**SERIES 400: STAFF PERSONNEL**

staff, counselors, paraprofessionals, bus drivers, bus associates, etc.) to protect students and their well-being. They must demonstrate that it is safe and worthwhile to report bullying behaviors by responding effectively when students report bullying, report what they hear and see to the principal, and follow-up to see if the situation has been addressed.

These staff members are empowered to intervene, take measures to ensure the student's safety temporarily, and record incidents.

**\*The Diocese of Davenport [Policies Relating to Sexuality and Personal Behavior](#) must also be followed if there is a complaint of Sexual Harassment by an employee or volunteer.**

Policy Adopted: June 3, 2007  
Policy Revised: June 10, 2009  
Policy Reviewed: May 17, 2010  
Policy Revised: December 2015  
Policy Revised: September 4, 2019  
Policy Promulgated: October 17, 2019

**DIOCESE OF DAVENPORT  
BOARD OF EDUCATION**

**SERIES 400: STAFF PERSONNEL**

**PROCEDURE 430.1**

**ANTI-HARASSMENT/BULLYING INVESTIGATION PROCEDURES**

**Reporting suspected bullying behaviors**

- a. An Individual who feels that he/she has been harassed or bullied should report it immediately to a teacher, counselor, administrator; and/or responsible staff member working in the area at the time of the incident
- b. The individual or his/her designee writes down exactly what happened including;
  - o what, when and where it happened;
  - o who was involved;
  - o exactly what was said or what the alleged harasser did;
  - o witnesses to the harassment;
  - o what the individual said or did, either at the time or later;
  - o how the individual felt; and
  - o How the alleged harasser responded.
- c. The individual or his/her designee keeps a copy of the written report and gives another copy to the teacher, counselor, administrator, and/or responsible staff member to whom the verbal report was made.
- d. The teacher, counselor, or responsible adult who receives a complaint of bullying must notify the principal or building investigator.

**COMPLAINT PROCEDURE**

An individual (parent, teacher, or adult responsible for the supervision of children) who believes that a student has been harassed or bullied will notify the building principal, who is the designated investigator. The alternate investigator is the school counselor or an individual named by the building principal. The investigator will offer the individual the opportunity to complete the Harassment/Bullying Complaint form and turn over evidence of the harassment, including, but not limited to, letters, tapes, or pictures. The investigator may waive the form and do an intake interview right away if the individual student is reporting the bullying behaviors.

The investigator, with the approval of the Superintendent of Schools, or the Administrator has the authority to initiate an investigation in the absence of a written complaint.

**INVESTIGATION PROCEDURE**

The investigator will review the difference between conflict and bullying. If it is clear the event(s) reported are not simply a conflict between two students, and it appears that the potential of bullying behaviors exists, the investigator will reasonably and promptly commence the investigation, upon receipt of the complaint.

**Pre-Investigation Safety Plan**

The investigation begins with considering precautionary measures and, if necessary, the implementation of a pre-investigation safety plan.

**Investigator Meets with the Reporting Individual**

The investigator next conducts an intake interview of the student, who claims to be the target of bullying behaviors, or the reporting teacher or parent who submitted the claim of bullying behaviors against a targeted student. During the intake interview the investigator will meet with the complainant and explain the process, including:

- Documentation of the allegation; a claim or assertion that an accused student has engaged in bullying behavior, usually made without proof

Policy Adopted: November 15, 2001  
Policy Revised: June 5, 2002  
Policy Revised: May 17, 2010  
Policy Revised: December 2015  
Policy Revised: June 2019  
Procedure Revised: March 20, 2020  
Procedure Promulgated: May 5, 2020

**DIOCESE OF DAVENPORT  
BOARD OF EDUCATION**

**SERIES 400: STAFF PERSONNEL**

- Explain his/her role as a neutral factfinder
- Assure the complainant of non-retaliation
- Assure that the claim will be handled discreetly but confidentiality cannot be guaranteed because of witness interviews
- Address the filing of false claims and disciplinary action
- Obtain very specific details
  - What happened?
  - Where did this happen?
  - When did this happen?
  - Who is accused of this behavior?
  - Who witnessed this behavior?
- Document the complaint in chronological order.
- Have the complainant review and sign the allegations.
- Communicate deadlines for investigation completion.
- Reevaluate precautionary measures and safety plan. The safety plan should ensure the target's emotional and physical safety during the investigation and must be targeted to the student's individual circumstances, worries and needs. All individuals, who need to know, will be informed of the safety plan and their individual responsibility for implementing and monitoring the plan.

**Investigator Interviews Witnesses Individually**

- A. Asks about their relationship with the complainant/target and the accused.
- B. Asks witnesses what they observed with their own eyes and heard with their own ears.
- C. Asks the witnesses about the specific allegations.

**Investigator Meets with the Accused**

- A. Explains the purpose of the meeting.
- B. Explains his/her role as a neutral investigator.
- C. Advises the accused of the non-retaliation policy.
- D. Addresses knowingly providing false information.
- E. Reviews each allegation with the accused and obtains responses from the accused.
- F. Obtains a witness list and follows the procedure for interviewing witnesses.
- G. Has the accused review his/her responses and sign off on his/her responses.
- H. Reevaluates precautionary measures and safety plan.

**Determination of the presence of bullying behaviors.**

The investigator will:

- A. Analyze collected data.
- B. Assess credibility.
- C. Determine what the preponderance of the evidence indicates.
- D. Determine if there was a violation of the policy for anti-bullying and harassment. If yes, a founded complaint is rendered; if no, an unfounded complaint is rendered.
- E. Complete the investigative report
- F. Disclose the findings to the reporting individual (or designee) and the accused (or designee), while maintaining the confidentiality of all parties.
- G. If the investigation does not yield clear findings in either direction:
  - Advise the accused that the school environment is being monitored to guard against bullying behavior
  - Advise the complainant to report future incidents immediately

Policy Adopted: November 15, 2001  
Policy Revised: June 5, 2002  
Policy Revised: May 17, 2010  
Policy Revised: December 2015  
Policy Revised: June 2019  
Procedure Revised: March 20, 2020  
Procedure Promulgated: May 5, 2020

**DIOCESE OF DAVENPORT  
BOARD OF EDUCATION**

**SERIES 400: STAFF PERSONNEL**

- Meet with the complainant periodically to determine if there are further problems.

**Determine Action Steps with Accused Student if Claim of Bullying Behavior is founded**

- A. The principal or designee will determine the need for discipline and will administer the consequences he/she deems necessary for the scope of the bullying activity.
- B. The principal or designee will determine if the student engaged in bullying should receive counseling services.
- C. The principal or designee will develop a post-investigation safety plan that restricts a student in the environment in which they have been engaged in unsafe behavior.
- D. The principal will also follow all state laws regarding reporting of founded complaints

**RESOLUTION OF THE COMPLAINT IF A DECISION IS UNABLE TO BE RENDERED**

Following receipt of the investigator's report, the administrator may investigate further, if deemed necessary, and make a determination of any appropriate additional steps, which may include discipline.

Prior to the determination of the appropriate remedial action, the administrator may, at the administrator's discretion, interview the complainant and the alleged harasser. The administrator 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. The administrator will maintain a log of information necessary to comply with Iowa Department of Education and Diocesan reporting procedures.

**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.

**CONFLICTS**

If the investigator is a witness to the incident, the alternate investigator shall investigate.

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, 1<sup>st</sup> Regular Session, 82<sup>nd</sup> General Assembly, (2007). Iowa Code §§ 216.9; 280.3 (2007).

281 I.A.C. 12.3(6).

Morse v. Frederick, 127 S.Ct. 2618 (2007)

Policy Adopted: November 15, 2001

Policy Revised: June 5, 2002

Policy Revised: May 17, 2010

Policy Revised: December 2015

Policy Revised: June 2019

Procedure Revised: March 20, 2020

Procedure Promulgated: May 5, 2020

**DIOCESE OF DAVENPORT  
BOARD OF EDUCATION**

**SERIES 400: STAFF PERSONNEL**

**FORM 430.2**

**ANTI-HARASSMENT/BULLYING COMPLAINT FORM FOR STAFF TO STUDENT, STUDENT TO STAFF, OR STAFF TO STAFF INCIDENTS**

Check One (1):     Student                       Staff                       Family Member                       Other/Volunteer

Name of complainant: \_\_\_\_\_

Position of complainant: \_\_\_\_\_

Name of student or Employee target: \_\_\_\_\_

Date of complaint: \_\_\_\_\_

Name of alleged harasser or individual accused of bullying behaviors: \_\_\_\_\_

Date and place of incident or incidents: \_\_\_\_\_

Nature of Discrimination or Harassment Alleged (Check all that apply)

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

Description of misconduct:

\_\_\_\_\_

\_\_\_\_\_

Name of witnesses (if any):

\_\_\_\_\_

\_\_\_\_\_

Evidence of harassment or bullying, i.e., letters, photos, etc. (attach evidence if possible):

\_\_\_\_\_

\_\_\_\_\_

Any other information: \_\_\_\_\_

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

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Policy Adopted: June 3, 2007  
Policy Revised: June 10, 2009  
Policy Reviewed: May 17, 2010  
Policy Revised: December 2015  
Policy Revised: September 10, 2019  
Policy Promulgated: October 17, 2019  
Form Revised: March 20, 2020

DIOCESE OF DAVENPORT  
BOARD OF EDUCATION

SERIES 400: STAFF PERSONNEL

FORM 430.3

**ANTI-HARASSMENT/BULLYING COMPLAINT FORM FOR STUDENT TO STUDENT INCIDENTS**

Check One (1):     Student             Staff             Family Member             Other/Volunteer

Name of complainant: \_\_\_\_\_

Position of complainant: \_\_\_\_\_

Name of student target: \_\_\_\_\_

Date of complaint: \_\_\_\_\_

Name of alleged harasser or individual accused of bullying behaviors: \_\_\_\_\_

Specific Details:

What happened?

When did it happen?

Where did it happen?

Were there any witnesses?

Evidence of harassment or bullying, i.e., letters, photos, etc. (attach evidence if possible): \_\_\_\_\_

\_\_\_\_\_

Any other information: \_\_\_\_\_

\_\_\_\_\_

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

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Policy Adopted: June 3, 2007  
Policy Revised: June 10, 2009  
Policy Reviewed: May 17, 2010  
Policy Reviewed: December 2015  
Policy Revised: September 10, 2019  
Policy Promulgated: October 17, 2019  
Form Revised: March 20, 2020



DIOCESE OF DAVENPORT  
BOARD OF EDUCATION

SERIES 400: STAFF PERSONNEL

FORM 430.4

**ANTI-HARASSMENT/BULLYING WITNESS DISCLOSURE FORM**

Check One (1):     Student to Student     Staff to Student     Student to Staff     Staff to Staff

School/Site of Incident \_\_\_\_\_

Alleged Offender(s) \_\_\_\_\_

Complainant(s)/Target(s) \_\_\_\_\_

Reporter Name \_\_\_\_\_

Name of witness: \_\_\_\_\_

Position of witness: \_\_\_\_\_

Date of testimony, interview: \_\_\_\_\_

Description of incident witnessed: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Any other information: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Signature: \_\_\_\_\_

Date:        /        /

Policy Adopted: June 3, 2007  
Policy Revised: June 10, 2009  
Policy Reviewed: May 17, 2010  
Policy Reviewed: December 2015  
Policy Revised: September 10, 2019  
Policy Promulgated: October 17, 2019  
Form Revised: March 20, 2020

**DIOCESE OF DAVENPORT  
BOARD OF EDUCATION**

**SERIES 400: STAFF PERSONNEL**

**FORM 430.5**

**DISPOSITION OF ANTI-HARASSMENT/BULLYING COMPLAINT FORM**

Name of complainant: \_\_\_\_\_

Name of student or Employee target: \_\_\_\_\_

Grade and building of Student or employee: \_\_\_\_\_

Name and position or grade of alleged Perpetrator / respondent: \_\_\_\_\_

Date of complaint: \_\_\_\_\_

Nature of Discrimination or Harassment Alleged (Check all that apply)

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

Summary \_\_\_\_\_ of \_\_\_\_\_ investigation:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Policy Adopted: June 3, 2007  
 Policy Revised: June 10, 2009  
 Policy Reviewed: May 17, 2010  
 Policy Reviewed: December 2015  
 Policy Revised: September 10, 2019  
 Policy Promulgated: October 17, 2019  
 Form Revised: March 20, 2020