



**Policy Title: Anti-Bullying and Anti-Harassment
Code 103.1**

The Linn-Mar 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 and volunteers to maintain a safe and civil environment, and the ability of students to learn and succeed.

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

The school board also requires all persons, agencies, vendors, contractors, and other persons and organizations doing business with or performing services for the school district to subscribe to all applicable federal, state, and local laws, executive orders, rules, and regulations pertaining to bullying/harassment, compliance, and equal opportunity.

To that end, the school board has policies, procedures, and practices in place that are designed to reduce and eliminate bullying and harassment, as well as processes and procedures to deal with incidents of bullying and harassment. Complaints will be investigated within a reasonable time frame. *Refer to Policy 103.1-R – Administrative Regulations Regarding Anti-Bullying/Anti-Harassment Investigation Procedures.*

A school employee, volunteer, students, or a student's parent/guardian who promptly, reasonably, and in good faith reports an incident of bullying or harassment, in compliance with the procedures in the regulation (Policy 103.1-R), to the appropriate school official designated by the 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 meanings:

- *"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 services, cell phones, and electronic text messaging or similar technologies.
- *"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:
 - a. Places the individual in reasonable fear of harm to the individual's person or property;
 - b. Has a substantial detrimental effect on the individual's physical or mental health;
 - c. Has the effect of substantially interfering with the individual's academic or career performance; or
 - d. 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.
- *"Sexual Harassment"* means unwelcome sexual advances; requests for sexual favors; or verbal, non-verbal, or physical conduct of a sexual nature may constitute sexual harassment where:
 - a. Submission to such conduct is made either explicitly or implicitly as a term or condition of a person's employment or educational development;
 - b. Submission to or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual; or
 - c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive working or educational environment.
- *"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, genetic information, physical or mental ability or disability, ancestry, political party preference, political belief, military status, socioeconomic status, pregnancy, or familial status.
- *"Volunteers"* means any individuals who have regular, significant contact with students.

Publication of Policy

The school board will publish this policy on an annual basis. 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 district website
- Inclusion on student and employee display boards
- Inclusion in volunteer registration materials and information

Adopted: 8/07

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Related Policy (Code #): 103.1-R; 103.1-E1-E3; 104.1; 104.1-R; 104.1-E1-E5; 400.1-3; 403.13-15-E; 500.1

Legal Reference (Code of Iowa): 20 USC §§ 1221-1234i; 29 USC § 794; 42 USC §§ 2000d-d7; 42 USC §§ 12101 2 *et seq*; 281 IAC 12.3(6); Morse v Frederick 551 US 393 (2007)

IASB Reference: 104