

Regulation 104-R(1): Anti-Bullying/Harassment - Investigation Procedures

Status: ADOPTED

Original Adopted Date: 09/01/2020 | **Last Revised Date:** 07/21/2025 | **Last Reviewed Date:** 07/21/2025

Anti-Bullying and Harassment Investigation Procedures

Reporting Procedure - Informal Complaint

Any individual who feels that they themselves or, another student, staff member or volunteer, has been bullied or harassed, shall inform a responsible District staff member who will then turn the information over to the respective investigator. This is considered an informal complaint. If the complainant is a school employee, after filing the complaint with the Superintendent or designee, the employee may separately notify the parent or guardian of the student alleged to have been harassed or bullied. The investigator will conduct an initial interview to gather the following information:

- What, when and where it happened
- Who was involved
- Exactly what was said or what the harasser did
- Witnesses to the harassment
- What the victim said or did, either at the time or later;
- How the victim felt, and
- How the harasser responded
- Desired outcomes

The investigator may request that the individual complete a formal Harassment/Bullying Complaint form and turn over evidence of the bullying/harassment, including, but not limited to, letters, recordings, pictures of screenshots. The investigator will record in writing the facts of the complaint. Information received during the investigation is kept confidential to the extent possible.

Reporting Procedure - Formal Complaint

Complaints may be filed with the superintendent or superintendent's designee pursuant to the regulation and exhibit accompanying this policy. The Superintendent is responsible for implementation of this policy and all accompanying procedures. An alternate will be designated in the event it is claimed that the superintendent or superintendent's designee committed the alleged discrimination or some other conflict of interest exists. The Investigator will reasonably and promptly commence the investigation upon receipt of the complaint. The Complainant will state the nature of the complaint and the remedy requested. The Complainant shall receive assistance as needed. If the complainant is a school employee, after filing the complaint with the superintendent or superintendent's designee, the employee may separately notify the parent or guardian of the student alleged to have been harassed or bullied.

Complaints alleging acts of intentional physical or sexual abuse by school employees, including inappropriate sexual behavior, towards students should be reported to the Level I Investigator as outlined in Board policy 402.03.

Investigation Procedure

There are two different procedures that can take place:

- **Informal:** Under the informal procedure, a complaint may be filed with the building Administrator(s) for student complaints, and the Associate Superintendent or Director of Human Resources or designee for employee complaints. This will be a way to resolve the issue at the lowest level. Use of the informal procedure is optional and a person can choose to bypass, discontinue, or initiate a formal complaint at any time during the informal process. The complainant, the person receiving the informal complaint, and the Associate Superintendent, and/or the Director of Human Resources for employees, will jointly determine how best to handle the complaint.
- **Formal:** Under the formal procedure, the complainant should submit the bullying/harassment complaint form online or at the District Office. A formal investigation of the complaint will be conducted by the Student Bullying & Harassment Investigator for student complaints and the Executive Director of Human Resources or designee for employee complaints. An investigation will take place to determine if sufficient evidence exists to conclude that a violation of the policy occurred.

The investigator will reasonably and promptly commence the investigation upon receipt of the complaint. The investigator will interview the complainant and the alleged harasser(s). The alleged harasser(s) may file a written

statement in response to the complaint. The investigator may also interview witnesses as deemed appropriate. The investigation may include, but is not limited to the following:

- Interviews with the Complainant and the individual named in the complaint ("Respondent")
- A request for the Respondent to provide a written statement;
- Interviews with witnesses identified during the course of the investigation;
- A request for witnesses identified during the course of the investigation to provide a written statement; and
- Review and collection of documentation or information deemed relevant to the investigation.

The school district will promptly and reasonably investigate allegations of bullying or harassment. Within 24 business hours of receiving a report that a student may have been the victim of conduct that constitutes bullying and/or harassment, the district will notify the parent or guardian of the student. Building principals and/or their designee will be the primary investigator for handling all complaints by individuals alleging bullying or harassment. District level anti-bullying and harassment investigators will be the formal, secondary investigators. The Associate Superintendent and/or the Director of Human Resources or their designee will be responsible for handling all informal and formal complaints by employees alleging bullying or harassment. In the informal investigation, the investigator will resolve the complaint as deemed appropriate which may include remedial action, safety procedures, disciplinary action, etc. In a formal investigation, the investigator shall consider the totality of circumstances presented in determining whether conduct objectively constitutes bullying or harassment as defined in Board policy. Upon completion of the investigation, the investigator shall issue a report with respect to findings for each allegation of harassment and report the findings and conclusions to the complainant, respondent, and appropriate District administrator.

The complaint and identity of the complainant, respondent, or witnesses will only be disclosed as reasonably necessary in connection with the investigation or as required by law or policy. Similarly, evidence uncovered in the investigation shall be kept confidential to the extent reasonably possible.

Individuals who knowingly file false bullying and/or harassment complaints and any person who gives false statements in an investigation may 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.

Decision

Following receipt of the investigator's formal report, the building Administrator(s) or Superintendent or his/her designee may investigate further, if deemed necessary, and make a determination of any appropriate additional steps which may include discipline. If, after an investigation, a student is found to be in violation of the policy, the student shall be disciplined by appropriate measures, which may include suspension and expulsion and may be assigned retroactively. 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. If after an investigation a school volunteer is found to be in violation of this policy, the volunteer shall be subject to appropriate measures, which may include exclusion from school grounds.

If as a result of viewing surveillance system data or based on a report from a school district employee, the district determines that a student has suffered bullying or harassment by another student enrolled in the district, a parent or guardian of the student may enroll the student in another attendance center within the district that offers classes at the student's grade level, subject to the requirements and limitations established in Iowa law related to this topic.

A District administrator will document the complaint and any disciplinary action taken or any other action taken in response to the complaint. The District administrator will maintain a log of information necessary to comply with Iowa Department of Education reporting procedures.
