

BULLYING AND HARASSMENT

5145.3

It is the policy of the Catholic Schools of the Diocese of Sioux City to maintain a learning and working environment that is free from bullying or harassment and to provide all persons with a safe and civil school environment in which all members of the school community are treated with dignity and respect. No student of the school shall be subjected to bullying or harassment on the basis of 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. No employee, volunteer or student shall engage in harassing or bullying behavior based on this list of traits or characteristics.

It shall be a violation of this policy and state law for any employee, parent or guardian, volunteer or student in a Catholic School of the Diocese of Sioux City to bully or harass any employee, parent or guardian, volunteer or student on school property, school-owned and school-operated vehicles and at any school function, or school-sponsored activity regardless of its location. School employees, parents or guardian, volunteers, and students shall not engage in reprisal, retaliation, or false accusation against a victim, witness, or an individual who has reliable information about such an act of harassment or bullying.

All Catholic Schools of the Diocese of Sioux City shall be responsible for promoting the understanding and acceptance of, and assuring compliance with, applicable laws and board policy and procedures governing bullying or harassment within the school setting. The school will annually provide all school employees, volunteers and students training on the anti-harassment and anti-bullying policy of the Diocese and the school. To the extent that funds are available, the school will also adopt and provide programs to school employees, volunteers and students with the skills and knowledge to help reduce incidents of harassment and bullying.

Violations of this policy or procedure will be cause for disciplinary action as described in Section II below.

I. Definitions

- a. "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 communication, pager service, cell phones, social media and electronic text messaging.
- b. "Harassment" and "Bullying" is constructed to mean any electronic, written, verbal, or physical act or conduct related to the specified traits or characteristics stated above. The local board policy must contain all of these 17 traits or characteristics, but does not need to be limited to these 17. Policy must include procedures for reporting, procedures for the prompt investigation of complaints, identify an investigator, and include a statement of the manner in which the policy will be publicized. Harassment and Bullying toward an individual which creates an objectively hostile school environment that meets one or more of the following conditions:
 - i. Places the person in reasonable fear of harm to his/her property.
 - ii. Has a substantially detrimental effect on the person's physical or mental health.
 - iii. Has the effect of substantially interfering with a person's academic performance.
 - iv. Has the effect of substantially interfering with the person's ability to participate in or benefit from the services, activities, or privileges provided by a school.
- c. "Trait or characteristic of the individual" includes but is not limited to actual or perceived traits or characteristics of 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.
- d. "Volunteer" means an individual who has regular, significant contact with students.

II. Procedure for Reporting/Action Regarding Allegations of Bullying or Harassment

- a. Any employee, volunteer, student, parent, or guardian of a student, of a Catholic School of the Diocese of Sioux City who feels that a person has been bullied or harassed or who feel they have witnessed incidents of bullying or harassment shall contact the building principal or say other staff shall contact the principal/school administrator immediately.

Claims made against a principal/school administrator shall be reported the Superintendent of Schools for the Diocese of Sioux City immediately.
- b. The principal/school administrator will have the person making the claim fill out the form for reporting bullying or harassment and instruct the person to recall and record as many details as possible, including identifying any witnesses to the incident.
- c. The principal/school administrator will then interview any witnesses, having them fill out a report form as completely as possible. Investigators will consider the totality of circumstances presented in determining whether conduct objectively constitutes harassment or bullying.
- d. The principal/school administrator will interview the person claimed to have committed the bullying or harassment.
- e. All founded cases of bullying or harassment by a student will be subject to the disciplinary actions outlined in the local board-approved schedule of consequences, which may include expulsion.

Each Catholic School of the Diocese of Sioux City shall submit to the Office of Education annually a board-approved schedule of consequences.

- f. All founded cases of bullying or harassment by a school employee or volunteer will be subject to the disciplinary actions outlined in the school's Employee or Personnel Manual and/or the Administrative Manual of the Office of Education, as applicable.
- g. Upon completion of the investigation, the person filing the claim will be provided a written notification of the case as either founded or unfounded within ten (10) school days after the submission of the written complaint form.
- h. All claims of bullying or harassment, the supporting documentation, final disposition and disciplinary actions shall be filed in the principal/school administrator's office. The principal/school administrator will report a summary of these claims and resulting actions to the Office of Education annually on a form provided to them by the Office of Education. The school will also provide summary information regarding bullying and harassment to other agencies as required by the law.

III. IMMUNITY. The law provides immunity from civil or criminal liability to a school employee, volunteer, or student, or a student's parent or guardian who promptly, reasonably, and in good faith reports and incident of harassment or bullying, in compliance with the procedures in this policy. This immunity extends to participation in any administrative or judicial proceeding resulting from or relating to the report.

IV. COLLECTION REQUIREMENT. Each Catholic School in the Diocese of Sioux City shall maintain a system to collect harassment and bullying incident data.

V. INTEGRATION OF POLICY AND REPORTING. Each Catholic School in the Diocese of Sioux City shall integrate its anti-harassment and anti-bullying policy into the comprehensive school improvement plan required by the Iowa Department of Education and shall report data collected under Section IV above, to the local community.

VI. NOTIFICATION. This policy shall be provided to school employees, volunteers, students, and parents or guardians through the Staff and Student/Parent Handbooks. This policy may also be published in official school communications, as appropriate (i.e. school newsletter, school website, or public media).