

ABUSE OF STUDENTS BY SCHOOL DISTRICT EMPLOYEES

Pursuant to Chapter 102 of the School Rules of Iowa, abuse may fall into either of the two following categories.

1. Physical Abuse- The non-accidental physical injury to a student as a result of the actions of a District employee. Physical abuse may occur as the result of intentional infliction of injury or excessive, unnecessary, or unreasonable use of force in discipline.
2. Sexual Abuse- Sexual offenses or misconduct as defined by Iowa Code Chapter 709. This definition also encompasses acts or omission of the District employee that allow, permit, or encourage the student to engage in prostitution as defined by Iowa law.

To constitute a violation of the Iowa Code, acts or omissions of the employee must have occurred on school grounds, on school time, on a school-sponsored activity, or in a school-related context.

It shall be the responsibility of the superintendent/designee to annually identify a designated investigator and an alternate investigator. The names and telephone numbers of these investigators shall be included in the employee handbooks.

When an employee receives a report of alleged abuse of a student by a District employee, the report shall immediately be given to the designated investigator or their alternate if the investigator is named in the report. The investigator shall then make and provide a copy of the report to the person filing, the student's parent/guardian and the District employee named in the report. Within five school days of receipt of the report, the investigator shall conduct an informal investigation to determine whether the allegations are true. In the course of this investigation, the investigator shall interview the alleged victim, the District employee named in the report, and any collateral sources who may have knowledge of the circumstances contained in the report. The investigator shall exercise prudent discretion to preserve the confidentiality interests of the individuals involved.

The investigator's role is not to determine the guilt or innocence of the involved party, but whether it is likely that an incident took place between the student and the District employee. If, in the investigator's opinion, the magnitude of the allegations suggests immediate and professional investigation is necessary, the investigator may waive informal investigation. In such cases, the investigator shall contact appropriate law enforcement officials, the child's parent/guardian, and the person filing the report, and shall document in writing the action taken.

Within fifteen (15) calendar days of receipt of the report, the investigator shall complete a written investigative report which shall include those items required by Chapter 102.9 of the Iowa Code. If the report is founded by a preponderance of the evidence, the investigator shall promptly notify law enforcement in case of sexual abuse allegations. The investigator may notify law enforcement authorities in serious cases of physical abuse. In addition, the investigator shall (1) file a copy of the report with the District employee's supervisor, (2) file a complaint with the Board of Educational Examiners in cases involving a licensed District employee, and (3) document all actions taken.

Any record created by an investigation shall be handled subject to formally adopted or bargained policies on the maintenance of personnel records.

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