

Policy 106-R(1): Anti-Bullying/Anti-Harassment/Anti-Discrimination - ANTI-BULLYING/HARASSMENT INVESTIGATION PROCEDURES

Complaint Procedures

The Ottumwa Community School District is committed to having a school environment free of all discrimination, including bullying, harassment, and discrimination. The school district prohibits harassment based on perceived 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, including all academic, extra-curricular and school-sponsored activities. We encourage students to immediately report incidents of harassment of which they become aware, regardless if a formal complaint is filed.

How to File a Complaint

Staff must promptly report all incidents of harassment of which they become aware, regardless of whether a formal complaint is filed, to the designated staff member below. The district will investigate formal and informal complaints of bullying, harassment, and discrimination (including race and ethnicity). Initial complaints of bullying, harassment, and discrimination start at the building level unless there are circumstances in which the investigation at the building level would be inappropriate. Students should report incidents of harassment to a school staff member. Staff must promptly report incidents to building administration. School personnel should report incidents of alleged student-on-student or staff-to-student harassment that the school personnel witnessed which they have received reports or information, whether such incidents are verbal or physical or amount to bullying, harassment, or discrimination in other forms.

A Complainant who wishes to avail himself/herself of this procedure may do so by filing a complaint with the Superintendent/designee through our district website form. The Director of Human Resources will serve as the district designee who will receive reports of bullying, harassment, and/or retaliation. Contact information for building administration and our district's Director of Human Resources is below. An alternate will be designated in the event it is claimed that the Superintendent/designee committed the alleged discrimination or some other conflict of interest exists. Complaints shall be filed within 15 days of the event giving rise to the complaint or from the date the Complainant could reasonably become aware of such occurrence. The Complainant will state the nature of the complaint and the remedy requested. The Complainant shall receive assistance as needed.

District Employees Responsible for Receiving and Investigating Reports of
Harassment and Retaliation

For Updated Principal Information, Click [Here](#)

Building	Title(s)	Address	Phone Number
Douma Elementary School	Principal	307 W. Mary Ottumwa, Iowa 52501	641-684-4668
Eisenhower Elementary School	Principal	2624 Marilyn Rd. Ottumwa, IA 52501	641-684-5617
Evans Junior High School	Principal and Associate Principal	812 Chester Ave. Ottumwa, IA 52501	641-684-6511
Fahrney Elementary School	Principal	520 S. Milner Ottumwa, IA 52501	641-684-6753
Gateway High School	Principal	907 Gateway Dr. Ottumwa, IA 52501	641-684-6979
Horace Mann Elementary School	Principal	1523 N. Court St. Ottumwa, IA 52591	641-684-4661
James Elementary School	Principal	1001 N. Benton St. Ottumwa, IA 52501	641-684-5411
Liberty Intermediate School	Principal and Associate Principal	50 Traxler Dr. Ottumwa, IA 52501	641-682-4502
Ottumwa High School	Principal and Associate Principals	501 2nd St. E, Ottumwa, IA 52501	641-683-4444
Pickwick Early Childhood Center	Principal and Associate Principal	1306 W. Williams St. Ottumwa, IA 52501	641-684-7179
Wilson Elementary School	Principal	1102 E. 4th Street, Ottumwa IA, 52501	641-684-5441

Example Behaviors of Bullying, Harassment, and Discrimination

- Verbal Aggression- name-calling, mocking, teasing, intimidating phone calls,

spreading rumors, threats

- Intimidation- getting in someone's face, taking things, demanding money or items, hazing
- Social/Emotional- excluding, tormenting, threatening gestures, ridicule, staring, gossiping
- Physical Aggression- pushing, kicking, punching, slapping, tripping, pinching, spitting,
- Sexual- touching, dirty jokes, flirting, pursuing relationships after being told no, innuendos
- Racial- comments or nicknames based upon physical, behavioral, or cultural differences
- Written, threatening, or inappropriate notes or drawings

Investigation: Receiving, Investigating, and Resolving

Receiving Allegations

The school district will promptly and reasonably investigate allegations of bullying or harassment. The Superintendent/designee (hereinafter "Investigator") will handle all complaints alleging bullying, harassment, or discrimination. Initial complaints of bullying and harassment start at the building level unless there are circumstances in which the investigation at the building level would be inappropriate.

Complaints will fill out this form and can be assisted by an adult.

Investigating Allegations

The Investigator shall consider the totality of circumstances presented in determining whether conduct objectively constitutes bullying, harassment, sexual abuse, or discrimination. While the investigation is ongoing, interim measures to protect students may be applied. The Superintendent/designee shall also be responsible for developing procedures regarding this policy.

Investigations Will Involve:

- Documented interviews with individuals who have information about the complaint, including, but not limited to, the complainant, the person accused of discrimination, witnesses, and anyone mentioned as having relevant information, are required.

○ The Investigation May Also Involve:

■ (hereinafter "Investigator") will be responsible for handling all complaints alleging bullying or harassment. 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 Complainant to provide a written statement regarding the nature of the complaint;
- A request for the Respondent to provide a written statement;
- Interviews with witnesses identified during the investigation;
- A request for witnesses identified during the investigation to provide a

written statement; and

- Review and collection of documentation or information deemed relevant to the investigation. The Investigator shall consider the totality of circumstances presented in determining whether conduct.
- Review of any documents such as records, notes, statements, or other documents related to the complaint.
- Notice of the outcome of the complaint, including
 - The findings of fact are based on the evidence gathered.
 - As to each allegation, the District's conclusion(s) as to whether bullying, harassment, or discrimination occurred, and the reasons or rationale for such conclusion(s).
 - The consequences imposed on any individual(s) found to have engaged in bullying, discrimination, or harassment, that relate to the subject of the complaint; and
 - Notice to the complainant to immediately report any recurrence of the conduct or of acts of retaliation to the District.

Resolving Allegations

The Ottumwa Community School District is committed to taking appropriate action to eliminate bullying, harassment, and discrimination, prevent their recurrence, and address the effects on the complainant and other affected individuals. 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 and 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. 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.

Other Resolutions Could Include:

- Interventions for the individual who engaged in harassment, discrimination or other misconduct include parent or supervisor notification, discipline, counseling, or training.
- Interventions for the complainant include counseling, academic support, and information on reporting further incidents of bullying, harassment, or discrimination.
- Separating the complainant and the individual who engaged in bullying, harassment, or discrimination, provided the separation does not penalize the complainant.
- Follow-up inquiries with the complainant and witnesses to ensure that the bullying/harassing/discriminatory conduct has stopped and that they have not experienced any retaliation.
- Training or other interventions for the larger school community to ensure that students, staff, and parents understand the types of behavior that constitute discrimination, that the District does not tolerate it, and how to report it.
- If the district finds that a student has suffered from a founded case of bullying or harassment pursuant to Iowa Code 280.28, a parent or guardian may transfer their student to another building attendance center within the district, unless:
 - There is inadequate classroom space (as established by district policy)
 - The student's IEP will not be met
 - The student is currently under suspension or expulsion

Legal References:

20 U.S.C. §§ 1221-1234i

29 U.S.C. § 794

42 U.S.C. §§ 2000d-2000d-7

42 U.S.C. §§

12001 *et. seq.*

Iowa Code §§

216.9; 280.3

281 I.A.C. 12.3(6)

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