

DIOCESE OF DES MOINES

Catholic Schools Policies/Regulations

STAFF PERSONNEL - school personnel, coaches, sponsors and volunteers

Harassment, Bullying and Hazing

It shall be the policy of the Diocesan Catholic Schools Office, under the aegis of the Bishop, that all schools maintain an environment free from undesirable and unlawful verbal and physical harassment, bullying and/or hazing. Schools must develop and incorporate programs to eliminate harassment, bullying and hazing. (IAC 381.12.3(13))

For the purposes of this policy, harassment, bullying and hazing shall mean any electronic, written, verbal, or physical act or conduct toward a person which is based on any actual or perceived trait or characteristic of a person which creates an objectively hostile school environment that meets one of more of the following conditions:

- Places school personnel, coaches, sponsors, volunteers, or a student in reasonable fear of harm to their person or property;
- Has a substantially detrimental effect on school personnel, coaches, sponsors, volunteers, or a student's physical or mental health;
- Has the effect of substantially interfering with the job performance of school personnel, coaches, sponsors, or volunteers;
- Has the effect of substantially interfering with a student's academic performance or participation in educational activities;
- Has the effect of substantially interfering with the ability of school personnel, coaches, sponsors, volunteers, or a student to participate in or benefit from the services, activities, or privileges provided by the school.

“Electronic” shall mean 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 communications, pager service, cell phones, electronic text messaging, social media platforms (including but not limited to Facebook, Twitter, Instagram, and Snapchat), or similar technologies.

The phrase “trait or characteristic” of the student, school personnel, coaches, sponsors and volunteers as used in this policy includes, but is not limited to: 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.

The term “sexual orientation” means actual or perceived heterosexuality, homosexuality or bisexuality. The term “gender identity” means the gender related identity of a person, regardless of the person's assigned sex at birth.

Harassment, bullying and hazing may include, but are not limited to, the following behaviors and circumstances:

- Verbal, nonverbal, or physical or written harassment, bullying, hazing, or other victimization that has the purpose or effect of causing injury, discomfort, fear, or suffering to the victim;
- Repeated remarks of a demeaning nature that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim;
- Implied or explicit threats that have the purpose or effect of causing injury, discomfort, fear, or

suffering to the victim;

- Demeaning jokes, stories, or activities directed at school personnel, coaches, sponsors and volunteers that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim; and/or
- Unreasonable interference with school personnel, coaches, sponsors and volunteers' or a student's performance or creation of an intimidating, offensive, or hostile working environment.

This policy shall be in effect while school personnel, coaches, sponsors and volunteers are on school property, while on school-owned or school-operated/leased vehicles; while attending or engaged in school-sponsored activities (whether on campus or not); and while away from school grounds if the misconduct directly affects the good order, efficient management and welfare of the school.

School personnel, coaches, sponsors and volunteers who believe they or other school personnel, coaches, sponsors and volunteers or students are involved in any bullying, harassment or hazing should immediately report their concerns to the school principal or the principal's designee. The principal or the principal's designee shall be responsible for handling all complaints alleging bullying, harassment or hazing. The school must promptly and reasonably investigate allegations of bullying, harassment and hazing.

The investigator must consider the totality of circumstances presented in determining whether conduct objectively constitutes harassment, bullying or hazing. (IAC 280.28)

Any individual who believes a person has been bullied, harassed or hazed may report the matter to legal authorities.

Retaliation against a person because the person has filed a bullying, harassment or hazing complaint or assisted or participated in a bullying, harassment or hazing investigation or proceeding is prohibited. An individual who knowingly files a false bullying, harassment or hazing complaint or a person who gives false statements in an investigation shall be subject to discipline by appropriate measures.

School personnel, coaches, sponsors and volunteers who are found to have violated this policy shall face disciplinary action which may include placement on temporary leave and/or termination.

The principal shall ensure that the harassment, bullying and hazing policy and procedures are printed in the Handbooks and shall contain the following statement: "The Diocesan Catholic Schools Policy on harassment, bullying and hazing can be found at www.dmdiocese.org Catholic Schools, About Catholic Schools, School Policies and Regulations."

Volunteers should receive a copy of the school's harassment, bullying and hazing policy.

The principal or the principal's designee is responsible for collecting and retaining data relating to incidents or reports of harassment, bullying and hazing. Data pertaining to harassment, bullying and hazing of school staff personnel should be retained at the school.

Nothing in this policy shall be construed to impair the school's ability to educate and administer consistent with the mission of the Catholic Church. Nothing in this policy is intended to condone behaviors or lifestyles that are inconsistent with Catholic teachings.

Policy Adopted: January 31, 1994

Policy Revised: June 5, 2019

Harassment, Bullying, Hazing

Regulation 481.1

Harassment, Bullying and Hazing Complaint and Investigation Procedure

COMPLAINT PROCEDURE:

Any individual who believes that the individual or any other school related individual has engaged in or experienced harassment, bullying, or hazing should notify appropriate school principal or the principal's designee. It could be the diocesan superintendent, or someone in HR, or a school guidance counselor.] Each school shall have a designated investigator. The alternate investigator is the diocesan superintendent of schools or her/his designee. If the principal or the principal's designee is a witness or the alleged instigator of the bullying, harassment or hazing, the diocesan superintendent of schools or her/his designee must be the investigator.

The investigator should request that the reporting individual complete the Harassment, Bullying and Hazing Complaint Form and provide any evidence of the harassment, including, but not limited to, letters, tapes, pictures, texts, or social media posts. The complainant shall be given a copy of the completed complaint form.

The investigator has the authority to initiate an investigation in the absence of a written complaint.

INVESTIGATION PROCEDURE:

The investigator will reasonably and promptly commence the investigation upon receipt of a complaint. In most cases, the investigator will interview the complainant, the alleged harasser/hazer, and witnesses, if necessary and appropriate. The respondent may file a written statement in response to the complaint. The investigator must include the totality of circumstances during the investigation.

Upon completion of the investigation, the investigator will make written findings and conclusions and report the findings and conclusions to the principal and pastor/canonical administrator. If the principal or the principal's designee is the complainant, the report shall be given to the pastor/canonical administrator and superintendent.

Information received during the investigation is kept confidential to the extent possible.

RESOLUTION OF THE COMPLAINT:

If the principal is not the investigator the principal may, if deemed necessary, investigate further after the principal receives the investigator's report. In such a case, the principal may make a determination of any appropriate additional steps which could include an interview with the complainant and respondent. Additional steps may include suspension or expulsion.

The principal must file a written report closing the case and documenting any disciplinary action taken in response to the complaint. The complainant, the respondent, and the investigator must receive notice as to the conclusion of the investigation.

The principal must maintain a log of information necessary to comply with the Iowa Department of Education.

Regulation Approved: January 21, 2008

Regulation Revised: June 5, 2019