

DIOCESE OF DES MOINES
Catholic Schools Policies/Regulations

STUDENT PERSONNEL

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 unlawful and undesirable verbal and physical harassment, bullying and/or hazing. Schools must develop and incorporate programs to eliminate harassment, bullying and hazing. (IAC 280.28)

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 the student or school personnel, coaches, sponsors and volunteers which creates an objectively hostile school environment that meets one or more of the following conditions:

- Places a student or school personnel, coaches, sponsors and volunteers in reasonable fear of harm to their person or property;
- Has a substantially detrimental effect on the student's or school personnel, coaches, sponsors and volunteers' physical or mental health;
- Has the effect of substantially interfering with the student's academic performance or school personnel, coaches, sponsors and volunteers' job performance;
- Has the effect of substantially interfering with the student's or school personnel, coaches, sponsors and volunteers ability 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, 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

that have 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 concerning one's grades, achievements, property, etc. that have the purpose or effect of causing injury, discomfort, fear, or suffering to the victim;
- Demeaning jokes, stories, or activities directed at the student or 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 a student's or school personnel, coaches, sponsors and volunteers' performance or creation of an intimidating, offensive, or hostile learning or working environment.

This policy shall be in effect while students are on school property, while on school-owned or school operated/leased vehicles; while attending or engaged in school-sponsored activities; and while away from school grounds if the misconduct directly affects the good order, efficient management and welfare of the school.

Students who believe they or other students or school personnel, coaches, sponsors and volunteers are the victim of 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 will be responsible for handling all complaints by students 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 an investigation or proceeding is prohibited. An individual who knowingly files a false complaint and a person who gives false statements in an investigation shall be subject to discipline by appropriate measures, as shall a person who is found to have retaliated against another in violation of this policy. A student found to have retaliated in violation of this policy shall be subject to measures up to, and including, suspension and expulsion.

The principal shall ensure that the anti-harassment, anti-bullying and anti-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.

The principal or the principal's designee is responsible for

- Collecting data relating to incidents of harassment, bullying and hazing.
- Reporting data to the Iowa Department of Education upon completion of the investigation.
- Communicating founded harassment, bullying, and hazing incidents to the Superintendent's office.

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: January 30, 2020
July 30, 2021

Bullying and Harassment – Complaint and Investigation Procedure Regulation 579.1

COMPLAINT PROCEDURE:

Any individual who believes that the individual or any other school related individual has been harassed, bullied or hazed should notify the principal or the principal's designee. 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 complainant or the investigator should complete the Diocese of Des Moines Anti-Bullying Incident Report Form (Regulation 579.2) turn over evidence of the harassment, including, but not limited to, letters, tapes, or pictures. 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. The investigator will interview the complainant and the alleged harasser/hazer. The alleged harasser/hazer may file a written statement in response to the complaint. The investigator may also interview witnesses as deemed appropriate. The investigator should include the totality of circumstances during the investigation. (Regulation 579.3)

Upon completion of the investigation, the investigator will make written findings and conclusions to each allegation and report the findings and conclusions to the principal and pastor/canonical administrator. If the principal or the principal's designee is the alleged instigator the report shall be given to the pastor/canonical administrator and superintendent. (Regulation 579.4)

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 alleged abuser. 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 alleged abuser and the investigator must receive notice as to the conclusion of the investigation. Disciplinary action information can only be shared with the alleged abuser and his/her parents. Care must be taken to protect the privacy of all individuals involved.

The principal must maintain a log of information necessary to comply with the Iowa Department of Education reporting requirements. The principal is responsible for communicating founded harassment, bullying, and hazing incidents to the Superintendent's office.

Regulation Approved: January 21, 2008

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