

Educational Philosophy

Series 100

Policy Title: Bullying and Workplace Harassment

Code No. 102

Policy Statement

Heartland Area Education Agency is committed to providing all children and students, families, employees and individuals with a safe and civil environment in which all members of the community are treated with dignity and respect. Bullying and/or harassment of or by staff and volunteers is against federal, state, and local policy and is not tolerated by the Board. Bullying and/or harassing behavior can seriously disrupt the ability of employees to maintain a safe and civil environment, and the ability of children and students to learn and succeed. Therefore, it is the policy of the state and the Agency that staff and volunteers other individuals who work to provide services through Heartland AEA shall not engage in bullying or harassing behavior during work, on Agency property, or at any Agency function or Agency-sponsored activity, including service to local school districts.

Scope of Policy

For the purposes of this policy, the defined words shall have the following meaning:

- "Harassment" and "bullying" shall mean any electronic, written, verbal, or physical act or conduct toward another individual or family on the individual's or family's actual or perceived race, color, creed, sex, gender identity, sexual orientation, marital status, family status, genetics, national origin, religion, age, military or veteran status, pregnancy, disability or socioeconomic status which creates an objectively hostile environment that meets one or more of the following conditions:
 1. Places the individual or family in reasonable fear of harm to themselves or property.
 2. Has a substantial detrimental effect on the individual or family's physical or mental health.
 3. Has the effect of substantially interfering with an individual's academic performance.
 4. Has the effect of substantially interfering with the individual's or family's ability to participate in or benefit from the services, activities, or privileges provided by the Agency.
- "Electronic" means any communication involving the transmission of information by wire, radio, optic cable, electromagnetic, or other similar means. "Electronic" includes but is not limited to communication via electronic mail, internet-based communications, pager service, cell phones, and electronic text messaging.
- "Trait or characteristic of the individual or family" includes but is not limited to race, color, creed, sex, gender identity, sexual orientation, marital status, family status, genetics, national origin, religion, age, military or veteran status, pregnancy, disability or socioeconomic status.
- "Volunteer" means an individual who has regular, significant contact with students

For the purpose of this policy, harassment is defined as unwelcome comments (written or spoken) or conduct that violates an individual's dignity and/or creates an intimidating, hostile, degrading, humiliating, or offensive environment. Types of harassment may include, but are not limited to, sexual and physical harassment, including jokes, stories, pictures or objects that are offensive or tend to alarm, annoy, abuse, or demean certain protected individuals or groups.

Sexual harassment may include, but is not limited to, verbal harassment or abuse, unwelcome

pressure for sexual activity, repeated unwelcome remarks with sexual or demeaning implications, unwelcome touching, and suggestions or demands of sexual involvement by implied or explicit threats or promises of benefit concerning one's employment or education.

Such conduct will constitute a violation of this policy when

- submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or education,
- submission to or rejection of such conduct by a person is used as the basis for academic or employment decisions affecting that person, or
- such conduct has the clear purpose or effect of interfering with or altering a person's academic or professional performance or creating an intimidating, hostile, or offensive employment or educational environment.

Accountability Overview

Employees whose actions or behavior, either intentional or unintentional, that violate this policy, will be subject to discipline that may result in discharge. Responsibility for implementing the policy is assigned to the Director of Human Resources, who will render full assistance and support for those seeking help and assistance. Heartland AEA employees are informed of the bullying and harassment policy as a part of initial orientation. Annual review is confirmed through employee certification of the staff handbook. Employees who believe that they have been harassed will notify the Chief Administrator and/or Director of Human Resources. An additional safeguard is provided through the whistleblower policy; see policy 413 Disclosure of Wrongful Conduct ([Whistleblower Policy](#)).

The Agency will respond promptly to allegations of bullying and harassment by investigating or arranging for the investigation of an allegation. The processing of a complaint or allegation will be handled confidentially to the maximum extent possible.

If you would like to file a complaint, please use the general complaint form found on the Heartland AEA website at: <http://www.heartlandaea.org/non-discrimination/> and submit to the Chief Administrator or one of Heartland AEA's Level 1 Investigators below:

- Primary: Nia Chiamonte, Director of Human Resources (nchiamonte@heartlandaea.org)
- Alternate: Kristi Upah, Chief Student Services Officer (kupah@heartlandaea.org)
- Jon Sheldahl, Chief Administrator (jsheldahl@heartlandaea.org)

If you have questions or a complaint related to this policy please contact the Director of Human Resources, 6500 Corporate Dr., Johnston, IA 50131-1603, the Director, Iowa Civil Rights Commission, Des Moines, Iowa 50319-1004 or Director, Office for Civil Rights, Kansas City, MO 64106.

Disclaimer

In preparing this policy, Heartland AEA has used terminology contained in state and federal law. Consequently, none of the terminology used should be construed as an admission by Heartland AEA, in whole or in part, that any individual has been or is presently being discriminated against. Nor is the effect of this policy intended to discriminate against a person or group of persons with respect to employment opportunities for which they are qualified on the grounds that they are not the beneficiaries of affirmative action. Indeed, nothing herein is intended to sanction the discriminatory treatment.

Date of Adoption:

June 10, 1985

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