

Educational Philosophy  
Series 100

Policy Title: Bullying and Harassment of Students Prohibited

Code No. 102

**Policy Statement**

Heartland Area Education Agency is committed to providing all students with a safe and civil environment in which all members of the community are treated with dignity and respect. Bullying and/or harassment of students by other students, staff, or volunteers is against state, and local law and 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, volunteers, and 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 repeated and targeted electronic, written, verbal, or physical act or conduct toward a student that creates an objectively hostile environment that meets one or more of the following conditions:
  1. Places the student in reasonable fear of harm to themselves or property.
  2. Has a substantial detrimental effect on the individual on the student's physical or mental health.
  3. Has the effect of substantially interfering with the student's academic performance.
  4. Has the effect of substantially interfering with the student'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.
- "Volunteer" means an individual who is a non-employee and has regular, significant contact with students

**Accountability**

Employees, volunteers and other individuals who work to provide services through Heartland AEA whose conduct violates this policy, will be subject to discipline up to and including discharge or removal from service. Responsibility for implementing the policy is assigned to the Chief Human Resources Officer, who will render full assistance and support for those seeking help and assistance.

Retaliation against any person because the person has filed a bullying or harassment complaint or assisted or participated in a harassment investigation or proceeding is strictly prohibited. Individuals who are found to have engaged in retaliation are in violation of this policy.

Individuals who knowingly file false bullying or harassment complaints and any person who gives false statements in an investigation may be subject to discipline by appropriate measures.

Heartland AEA employees are informed of this 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 Chief Human Resources Officer. 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 individuals 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: ([Heartland Staff Directory](#))

- Primary: Chief Human Resources Officer
- Alternate: Chief Student Services Officer
- Chief Administrator

If individuals have questions or a complaint related to this policy, please contact the Heartland AEA Chief Human Resources Officer, 6500 Corporate Drive, Johnston, IA 50131-1603.

### **Other Applicable Laws**

Some conduct that falls under AEA's anti-bullying/anti-harassment policy may trigger responsibilities under one or more of the federal and state antidiscrimination laws and Board Policies 101 (Educational Equity) and 103 (Non-Discrimination in Employment). In handling any complaint of bullying or harassment under this policy, the AEA will also consider whether the conduct alleged constitutes discriminatory harassment under federal or state law and take appropriate action as required by law.

Individuals with questions or complaints related to federal or state non-discrimination laws may contact the Heartland AEA Chief Human Resources Officer, 6500 Corporate Dr., Johnston, IA 50131-1603, the Director, Iowa Civil Rights Commission, 2600 Park Avenue, Suite 100, Des Moines, Iowa 50321-1270, (515) 281-4121 or Director, Office for Civil Rights, One Petticoat Lane, 1010 Walnut Street, 3rd Floor, Ste. 320, Kansas City, MO 64106, (816) 268-0550.

### **Title IX: Complaints if Sexual Harassment**

The AEA has separate procedures for reports or complaints of sexual harassment governed by Title IX of the Education Amendments Act of 1972. These procedures are available at ([Here](#)). A paper copy can be obtained at Heartland AEA, 6500 Corporate Drive, Johnston, IA 50131. For reports or complaints of sexual harassment outside of the AEA's Title IX jurisdiction, the AEA may follow any other applicable policy or procedure to respond to such a report or complaint.

#### Legal References:

- 20 U.S.C. §§ 1221-1234i.
- 29 U.S.C. § 794.
- 42 U.S.C. §§ 2000d-2000d-7.
- 42 U.S.C. §§ 12101 2 *et. seq.*
- Iowa Code §§ 216.9; 280.28; 280.3.
- 281 I.A.C. 12.3(6).
- Morse v. Frederick, 551 U.S. 393

#### Date of Adoption:

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Civil Right addresses and phone numbers 1/10/25, 6/30/25.