

STUDENT-TO-STUDENT HARASSMENT

Harassment of students by other students will not be tolerated in the school district. This policy is in effect while students are on school grounds, school district property, or on property within the jurisdiction of the school district; while on school-owned and/or school-operated buses, vehicles or chartered buses; while attending or engaged in school activities.

Harassment prohibited by the district includes, but is not limited to harassment on the basis of race, sex, creed, color, sexual orientation, gender identity, national origin, religion, marital status or physical or mental disability. Students whose behavior is found to be in violation of this policy will be subject to the investigation procedure which, may result in discipline, up to and including, suspension and expulsion.

Sexual harassment means unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- submission to such conduct is made either explicitly or implicitly a term or condition or a student's education or of a student's participation in school programs and activities;
- submission to or rejection of such conduct by a student is used as the basis for decisions affecting the student; or
- such conduct has the purpose or effect of unreasonably interfering with a student's performance or creating an intimidating or hostile learning environment.

Sexual harassment as set out above, may include, but is not limited to the following:

- verbal or written harassment or abuse;
- pressure for sexual activity;
- repeated remarks to a person with sexual or demeaning implications;
- unwelcome touching;
- suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's grades, achievements, etc.

Harassment on the basis of race, sex, creed, color, sexual orientation, gender identity, national origin, religion, marital status or physical or mental disability means conduct of a verbal or physical nature that is designed to embarrass, distress, agitate, disturb or trouble students when:

- submission to such conduct is made whether explicitly or implicitly a term or condition of a student's education or of a student's participation in school; programs or activities;
- submission to or rejection of such conduct by a student is used as the basis for decisions affecting the student; or

- such conduct has the purpose or effect of unreasonably interfering with a student's performance or creating an intimidating or hostile learning environment.

Harassment as set forth above may include, but is not limited to the following:

- verbal, physical or written harassment or abuse;
- repeated remarks of a demeaning nature;
- implied or explicit threats concerning one's grades, achievements, etc.;
- demeaning jokes, stories, or activities directed at the student.

The district will promptly and reasonably investigate allegations of harassment. The building principal will be responsible for handling all complaints by students alleging harassment.

Retaliation against a student because the student has filed a harassment complaint or assisted or participated in a harassment investigation or proceeding is also prohibited. A student who is found to have retaliated against another in violation of this policy, will be subject to discipline up to and including suspension and expulsion.

LEGAL REFERENCE: 20 U.S.C. §§ 1221-123i (1988).
29 U.S.C. § 794 (1988).
42 U.S.C. §§ 2000d-2000d-7 (1988).
42 U.S.C. §§ 12001 et. seq. (Supp. 1990).
Iowa Code § 216.9, 280.3 (1993)/

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MAQUOKETA VALLEY COMMUNITY SCHOOL DISTRICT