

LEGAL STATUS OF THE SCHOOL DISTRICT

Iowa law authorizes the creation of a Common Schools System. As part of this Common Schools System, this school district is a school corporation created and organized under Iowa law. This school district is known as the Villisca Community School District.

This school corporation is located in Montgomery County, and its affairs are conducted by elected school officials, the Villisca Community School District Board of Directors. This school corporation has exclusive jurisdiction over school matters in the territory of the school district.

Legal Reference: Iowa Code §§ 274.1, .2, .6, .7; 278.1(9); 279.8; 594A (2009).

Cross Reference: 200 Legal Status of the Board of Directors

Approved 11/12/2019

Reviewed 10/10/2019

Revised _____

EDUCATIONAL PHILOSOPHY OF THE SCHOOL DISTRICT

As a school corporation of Iowa, the Villisca Community School District, acting through its board of directors, is dedicated to promoting an equal opportunity for a quality public education to its students. The board's ability may be limited by the school district's ability and willingness to furnish financial support in cooperation with student's parents and school district community. The board is also dedicated to providing the opportunity to develop a healthy social, intellectual, emotional, and physical self-concept in a learning environment that provides guidance to, and encourages critical thinking in, the students for a lifetime.

The board endeavors, through the dedication of the school district's resources, to encourage students, who come to the school district from a variety of backgrounds, to look forward to the time when they will have jobs, homes, families, places in the school district community, and attain recognition as individuals. In order to achieve this goal, the board will seek qualified employees dedicated to development of their professional skills for the betterment of the education program and for the expertise for educational productivity.

Instruction and curriculum are the key elements of a public education. Critical thinking and problem solving skills that will assist the students' preparation for life is instructed as part of a sequentially coordinated curriculum. The school district strives to prepare students for employment, to discover and nurture creative talent and to prepare them to meet and cope with social change in an atmosphere conducive to learning.

The support and involvement of the home and the school district community are essential to achieve educational excellence in the school district. The school district strives to maintain an active relationship with the home and the school district community to create within the students an awareness of dignity and worth of the individual, civic responsibility and respect for authority.

Legal Reference: Iowa Code §§ 256.11 (2009).

Cross Reference: 102 Equal Educational Opportunity
103 Long-Range Needs Assessment
209 Board of Directors' Management Procedures
600 Goals and Objectives of the Education Program
602 Curriculum Development

Approved 11/12/2019

Reviewed 10/10/2019

Revised _____

EQUAL EDUCATIONAL OPPORTUNITY

It is the policy of the Villisca Community School District not to discriminate on the basis of race, color, national origin, sex, disability, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity and socioeconomic status (for programs) in its educational programs and its employment practices. There is a grievance procedure for processing complaints of discrimination. If you have questions or a grievance related to this policy please contact Lora Top, 406 E 3rd St, Villisca, IA 50864, (712) 826-2552, ltop@villiscaschools.org

The board requires all persons, agencies, vendors, contractors and other persons and organizations doing business with or performing services for the school district to subscribe to all applicable federal and state laws, executive orders, rules and regulations pertaining to contract compliance and equal opportunity.

Note: The grievance procedure is mandatory. The classes listed are all mandatory.

Legal Reference: 20 U.S.C. §§ 1221 *et seq.* (2006).
20 U.S.C. §§ 1681 *et seq.* (2006).
20 U.S.C. §§ 1701 *et seq.* (2006).
29 U.S.C. § 794 (2006).
42 U.S.C. §§ 12101 *et seq.* (2006).
34 C.F.R. Pt. 100 (2006).
34 C.F.R. Pt. 104 (2006).
Iowa Code §§ 216.9; 256.11, 280.3 (2009).
281 I.A.C. 12.

Cross Reference: 101 Educational Philosophy of the School District
401.1 Equal Employment Opportunity
500 Objectives for Equal Educational Opportunities for Students
506.1 Student Records

ANNUAL NOTICE OF NONDISCRIMINATION

The Villisca Community School District offers career and technical programs in the following areas of study:

Agriculture
Industrial Arts
Business
FCCLA
Engineering

It is the policy of the Villisca Community School District not to discriminate on the basis of race, color, national origin, sex, disability, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity and socioeconomic status (for programs) in its educational programs and its employment practices. There is a grievance procedure for processing complaints of discrimination. If you have questions or a grievance related to this policy please contact Lora Top, 406 E 3rd St, Villisca, IA 50864, (712) 826-2552, ltop@corningscsd.org

NOTE: A school district may have a different coordinator for each law or consolidate the responsibilities under one employee. The Iowa Department of Education encourages districts to have no more than two (2) coordinators: one for employment and one for programs. If the district has more than one coordinator, publications of this policy and notifications must include the name, contact address, contact phone number and email address for each coordinator.

CONTINUOUS NOTICE OF NONDISCRIMINATION

It is the policy of the Villisca Community School District not to discriminate on the basis of race, color, national origin, sex, disability, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity and socioeconomic status (for programs) in its educational programs and its employment practices. There is a grievance procedure for processing complaints of discrimination. If you have questions or a grievance related to this policy please contact Lora Top, 406 E 3rd St, Villisca, IA 50864, (712) 826-2552, ltop@corningscd.org

NOTE: A school district may have a different coordinator for each law or consolidate the responsibilities under one employee. The Iowa Department of Education encourages districts to have no more than two (2) coordinators: one for employment and one for programs. If the district has more than one coordinator, publications of this policy and notifications must include the name, contact address, contact phone number and email address for each coordinator.

NOTICE OF SECTION 504 STUDENT AND PARENTAL RIGHTS

The Villisca CSD does not discriminate in its educational programs and activities on the basis of a student's disability. It has been determined that your child has a qualifying disability for which accommodations may need to be made to meet his or her individual needs as adequately as the needs of other students. As a parent, you have the right to the following:

- Participation of your child in school district programs and activities, including extracurricular programs and activities, to the maximum extent appropriate, free of discrimination based upon the student's disability and at the same level as students without disabilities;
- Receipt of free educational services to the extent they are provided students without disabilities;
- Receipt of information about your child and your child's educational programs and activities in your native language;
- Notice of identification of your child as having a qualifying disability for which accommodations may need to be made and notice prior to evaluation and placement of your child and right to periodically request a re-evaluation of your child;
- Inspect and review your child's educational records including a right to copy those records for a reasonable fee; you also have a right to ask the school district to amend your child's educational records if you feel the information in the records is misleading or inaccurate; should the school district refuse to amend the records, you have a right to a hearing and to place an explanatory letter in your child's file explaining why you feel the records are misleading or inaccurate; and
- Hearing before an impartial hearing officer if you disagree with your child's evaluation or placement; you have a right to counsel at the hearing and have the decision of the impartial hearing officer reviewed.

It is the policy of the Villisca Community School District not to discriminate on the basis of race, color, national origin, sex, disability, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity and socioeconomic status (for programs) in its educational programs and its employment practices. There is a grievance procedure for processing complaints of discrimination. If you have questions or a grievance related to this policy please contact Lora Top, 406 E 3rd St, Villisca, IA 50864, (712) 826-2552, ltop@corningscd.org

COMPLAINT FORM
(Discrimination, Anti-Bullying, and Anti-Harassment)

Date of complaint: _____

Name of Complainant: _____

Are you filling out this form for yourself or someone else (please identify the individual if you are submitting on behalf of someone else):

Who or what entity do you believe discriminated against, harassed, or bullied you (or someone else)?

Date and place of alleged incident(s):

Names of any witnesses (if any): _____

Nature of discrimination, harassment, or bullying alleged (check all that apply):

<input type="checkbox"/>	Age	<input type="checkbox"/>	Physical Attribute	<input type="checkbox"/>	Sex
<input type="checkbox"/>	Disability	<input type="checkbox"/>	Physical/Mental Ability	<input type="checkbox"/>	Sexual Orientation
<input type="checkbox"/>	Familial Status	<input type="checkbox"/>	Political Belief	<input type="checkbox"/>	Socio-economic Background
<input type="checkbox"/>	Gender Identity	<input type="checkbox"/>	Political Party Preference	<input type="checkbox"/>	Other – Please Specify:
<input type="checkbox"/>	Marital Status	<input type="checkbox"/>	Race/Color		
<input type="checkbox"/>	National Origin/Ethnic Background/Ancestry	<input type="checkbox"/>	Religion/Creed		

In the space below, please describe what happened and why you believe that you or someone else has been discriminated against, harassed, or bullied. Please be as specific as possible and attach additional pages if necessary.

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature: _____

Date: _____

WITNESS DISCLOSURE FORM

Name of Witness: _____

Date of interview: _____

Date of initial complaint: _____

Name of Complainant (include whether the Complainant is a student or employee):

Date and place of alleged incident(s):

Nature of discrimination, harassment, or bullying alleged (check all that apply):

<input type="checkbox"/>	Age	<input type="checkbox"/>	Physical Attribute	<input type="checkbox"/>	Sex
<input type="checkbox"/>	Disability	<input type="checkbox"/>	Physical/Mental Ability	<input type="checkbox"/>	Sexual Orientation
<input type="checkbox"/>	Familial Status	<input type="checkbox"/>	Political Belief	<input type="checkbox"/>	Socio-economic Background
<input type="checkbox"/>	Gender Identity	<input type="checkbox"/>	Political Party Preference	<input type="checkbox"/>	
<input type="checkbox"/>	Marital Status	<input type="checkbox"/>	Race/Color	<input type="checkbox"/>	
<input type="checkbox"/>	National Origin/Ethnic Background/Ancestry	<input type="checkbox"/>	Religion/Creed	<input type="checkbox"/>	

Description of incident witnessed: _____

Additional information: _____

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature: _____

Date: _____

DISPOSITION OF COMPLAINT FORM

Date: _____

Date of initial complaint: _____

Name of Complainant (include whether the Complainant is a student or employee):

_____Date and place of alleged incident(s):

_____Name of Respondent (include whether the Respondent is a student or employee):

Nature of discrimination, harassment, or bullying alleged (check all that apply):

<input type="checkbox"/>	Age	<input type="checkbox"/>	Physical Attribute	<input type="checkbox"/>	Sex
<input type="checkbox"/>	Disability	<input type="checkbox"/>	Physical/Mental Ability	<input type="checkbox"/>	Sexual Orientation
<input type="checkbox"/>	Familial Status	<input type="checkbox"/>	Political Belief	<input type="checkbox"/>	Socio-economic Background
<input type="checkbox"/>	Gender Identity	<input type="checkbox"/>	Political Party Preference	<input type="checkbox"/>	Other – Please Specify:
<input type="checkbox"/>	Marital Status	<input type="checkbox"/>	Race/Color	<input type="checkbox"/>	
<input type="checkbox"/>	National Origin/Ethnic Background/Ancestry	<input type="checkbox"/>	Religion/Creed	<input type="checkbox"/>	

Summary of Investigation: _____

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature: _____

Date: _____

GRIEVANCE PROCEDURE

It is the policy of the Villisca Community School District not to discriminate on the basis of race, color, national origin, sex, disability, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity and socioeconomic status (for programs) in its educational programs and its employment practices. There is a grievance procedure for processing complaints of discrimination. If you have questions or a grievance related to this policy please contact Lora Top, 406 E 3rd St, Villisca, IA 50864, (712) 826-2552, ltop@corningscd.org

Students, parents of students, employees, and applicants for employment in the school district have the right to file a formal complaint alleging discrimination. The district has policies and procedures in place to identify and investigate complaints alleging discrimination. If appropriate, the district will take steps to prevent the recurrence of discrimination and to correct its discriminatory effects on the Complainant and others.

A Complainant may attempt to resolve the problem informally by discussing the matter with a building principal or a direct supervisor. However, the Complainant has the right to end the informal process at any time and pursue the formal grievance procedures outlined below. Use of the informal or formal grievance procedure is not a prerequisite to the pursuit of other remedies. Please note that informal processes and procedures are not to be used in certain circumstances (e.g., sexual harassment and sexual assault).

Filing a Complaint

A Complainant who wishes to avail himself/herself of this grievance procedure may do so by filing a complaint with the equity coordinator(s). An alternate will be designated in the event it is claimed that the equity coordinator or superintendent committed the alleged discrimination or some other conflict of interest exists. Complaints shall be filed within 180 days of the event giving rise to the complaint or from the date the Complainant could reasonably become aware of such occurrence. The Complainant will state the nature of the complaint and the remedy requested. The equity coordinator(s) shall assist the Complainant as needed.

Investigation

Within 15 working days, the equity coordinator will begin the investigation of the complaint or appoint a qualified person to undertake the investigation (hereinafter "equity coordinator"). If the Complainant is under 18 years of age, the equity coordinator shall notify his or her parent(s)/guardian(s) that they may attend investigatory meetings in which the Complainant is involved. The complaint and identity of the Complainant, Respondent, or witnesses will only be disclosed as reasonably necessary in connection with the investigation or as required by law or policy. The investigation may include, but is not limited to the following:

- A request for the Complainant to provide a written statement regarding the nature of the complaint;
- A request for the individual named in the complaint to provide a written statement;
- A request for witnesses identified during the course of the investigation to provide a written statement;
- Interviews of the Complainant, Respondent, or witnesses;
- An opportunity to present witnesses or other relevant information; and
- Review and collection of documentation or information deemed relevant to the investigation.

Within 60 working days, the equity coordinator shall complete the investigation and issue a report with respect to the findings.

The equity coordinator shall notify the Complainant and Respondent of the decision within 5 working days of completing the written report. Notification shall be by U.S. mail, first class.

Decision and Appeal

The complaint is closed after the equity coordinator has issued the report, unless within 10 working days after receiving the decision, either party appeals the decision to the superintendent by making a written request detailing why he/she believes the decision should be reconsidered. The equity coordinator shall promptly forward all materials relative to the complaint and appeal to the superintendent. Within 30 working days, the superintendent shall affirm, reverse, amend the decision, or direct the equity coordinator to gather additional information. The superintendent shall notify the Complainant, Respondent, and the equity coordinator of the decision within 5 working days of the decision. Notification shall be by U.S. mail, first class.

The decision of the superintendent shall be final.

The decision of the superintendent in no way prejudices a party from seeking redress through state or federal agencies as provided by in law.

This policy and procedures are to be used for complaints of discrimination, in lieu of any other general complaint policies or procedures that may be available.

If any of the stated timeframes cannot be met by the district, the district will notify the parties and pursue completion as promptly as possible.

Retaliation against any person, because the person has filed a complaint or assisted or participated in an investigation, is prohibited. Persons found to have engaged in retaliation shall be subject to discipline by appropriate measures.

NOTE: A school district may have a different coordinator for each law or consolidate the responsibilities under one employee. The Iowa Department of Education encourages districts to have no more than two (2) coordinators: one for employment and one for programs. If the district has more than one coordinator, publications of this policy and notifications must include the name, contact address, contact phone number and email address for each coordinator.

NOTE: The sample grievance procedures include an appeal process that ends with the superintendent. If the board chooses to have a different practice that involves the board in these grievance procedures, the procedures should be updated to reflect this practice.

NOTE: The Office for Civil Rights requires that the procedures must designate reasonably prompt time frames for the major stages of the complaint process. The number listed in the italic brackets for each stage includes suggested time frames based on guidance from both the United States Office for Civil Rights and the Iowa Department of Education. Districts should ensure that the time frames selected are reasonable for the individual district.

NOTE: Some conduct that falls under a school's equal educational opportunity policy also may trigger responsibilities under the state's anti-bullying/anti-harassment laws. By limiting the response to a specific application of its equal educational opportunity policy and the accompanying grievance procedures, a school may fail to properly consider whether the alleged conduct also results in bullying and/or harassment.

LONG-RANGE NEEDS ASSESSMENT

Long-range needs assessment enables the school district to analyze assessment data, get feedback from the community about its expectation of students and determine how well students are meeting student learning goals. The board will conduct ongoing and in-depth needs assessment, soliciting information from business, labor, industry, higher education and community members, regarding their expectations for adequate student preparation.

In conjunction with the in-depth needs assessment of the school district, the board will authorize the appointment of a committee, representing administrators, employees, parents, students and community members, to make recommendations and assist the board in determining the priorities of the school district in addition to the basic skills areas of the education program.

The district will conduct a needs assessment survey available to all patrons residing in the school district. Local needs will be articulated based on information gathered from community surveys, testing, data, and input from parents, administrators, teachers, students, and community members serving on the Advisory Committee. The needs assessment will document strengths, weaknesses and opportunities for the district. The needs assessment will provide the Advisory Committee direction on district goals and in the recommending of short term, long term, and ongoing district goals which cover all areas of established need, The advisory Committee reviews, revises and submits goals to the board for official adoption.

It is the responsibility of the superintendent to ensure the school district community is informed of students' progress on state and locally determined indicators. The superintendent will report annually to the board about the means used to keep the community informed.

As a result of the board and committee's work, the board will determine major educational needs and rank them in priority order; develop long-range goals and plans to meet the educational needs; establish and implement short-range and intermediate-range plans to meet the goals and to attain the desired levels of student performance; evaluate progress toward meeting the goals and maintain a record of progress under the plan that includes reports of student performance and results of school improvement projects; and annually report the school district's progress made under the plan to the committee, community and Iowa Department of Education.

Legal Reference: Iowa Code §§ 21; 256.7; 280.12 (2009).
281 I.A.C. 12.8(1)(b).

Cross Reference: 101 Educational Philosophy of the School District
200 Legal Status of the Board of Directors
208 Committees of the Board of Directors
603.1 Basic Instruction Program
801.1 Buildings and Sites Long Range Planning
801.2 Buildings and Sites Surveys

Approved 11/12/2019

Reviewed 10/10/2019

Revised _____

LONG-RANGE NEEDS ASSESSMENT

Villisca Community School District has adopted a goal-oriented approach to evaluate formally the programs and services it offers to meet students' needs as identified in its Comprehensive School Improvement Plan. This goal-oriented approach to program evaluation includes the following components"

- Identification of programs that contribute to progress with CSIP goals
- Identification of any additional program goals
- Identification of variables that affect performance
- Development of procedures for collecting information about performance
- Collection of performance data
- Comparison of the information regarding performance with the expected CSIP/program goals
- Communication of results of the comparison to appropriate audiences

Villisca Community Schools District will use a combination of formative and summative evaluation processes within the program evaluation process. The district will also determine the frequency of the formative and summative evaluation processes for each of the programs/services by two factors: 1) legal mandates and 2) local data. At a minimum an in-depth formal summative evaluation for all programs that Villisca incorporates into its CSIP will occur within a five-year rotation.

Villisca community School District will review information acquired with the following:

- STAT (Student Assistance Team), a team that meets weekly or as needed to discuss the needs of students that are At-Risk.
- SIAC (School Improvement Advisory Council), a group meets a few times a year, to discuss student test results, graduation rates, student learning goals, programs and services offered by the district. The group then makes recommendations on CSIP goals, and the programs and services offered to students. This committee will use the prioritized needs to generate and recommend goal statements to the board for adoption. The committee along with community stakeholders as appropriate will design strategies and actions to align with and support the established goals.

Villisca Community School District will use multiple data sources to determine if student learning has changed, including (but not limited to) ISASP, FAST, MAPS, Smarter Balance, classroom assessments, and surveys. The district administration will ensure that data from these assessment measures are collected, analyzed, and shared with district stakeholders. The district will continue to ensure that all students enrolled in the Villisca Community School District are included in all district-wide assessments. Gathered data will be presented to the staff, the School Board, the community and in the district's annual progress report.

Approved 11/12/19

Reviewed _____

Revised _____

Policy 104: Anti-Bullying/Harassment Policy

Status: ADOPTED

Original Adopted Date: 09/14/2023 | **Last Revised Date:** | **Last Reviewed Date:**

The Villisca Community School District is committed to providing all students, employees, and volunteers with a safe and civil school environment in which all members of the school community are treated with dignity and respect. Bullying and/or harassing behavior can seriously disrupt the ability of school employees to maintain a safe and civil environment, and the ability of students to learn and succeed.

Bullying and/or harassment of or by students, employees, and volunteers is against federal, state, and local policy and is not tolerated by the board.

Accordingly, school employees, volunteers, and students shall not engage in bullying or harassing behavior while on school property, while on school-owned or school-operated vehicles, while attending or participating in school-sponsored or sanctioned activities, and while away from school grounds if the conduct materially interferes with the orderly operation of the educational environment or is likely to do so.

Complaints may be filed with the superintendent or superintendent's designee pursuant to the regulation accompanying this policy. The superintendent is responsible for implementation of this policy and all accompanying procedures. Complaints will be investigated within a reasonable time frame. Within 24 hours of receiving a report that a student may have been the victim of conduct that constitutes bullying and/or harassment, the district will notify the parent or guardian of the student.

If as a result of viewing surveillance system data or based on a report from a school district employee, the district determines that a student has suffered bullying or harassment by another student enrolled in the district, a parent or guardian of the student may enroll the student in another attendance center within the district that offers classes at the student's grade level, subject to the requirements and limitations established in Iowa law related to this topic.

A school employee, volunteer, or student, or a student's parent or guardian who promptly, reasonably, and in good faith reports an incident of bullying or harassment, in compliance with the procedures in the regulation, to the appropriate school official designated by the school district, shall be immune from civil or criminal liability relating to such report and to participation in any administrative or judicial proceeding resulting from or relating to the report.

Retaliation Prohibited

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.

Any student found to have violated or retaliated in violation of this policy shall be subject to measures up to, and including, suspension and expulsion. Any school employee found to have violated or retaliated in violation of this policy shall be subject to measures up to, and including,

termination of employment. Any school volunteer found to have violated or retaliated in violation of this policy shall be subject to measures up to, and including, removal from service and exclusion from school grounds.

Definitions

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

- "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.
- "Harassment" and "bullying" mean any repeated or potentially repeated electronic, written, verbal, or physical act or other ongoing conduct toward an individual based on any trait or characteristic of the individual which creates an objectively hostile school environment that meets one or more of the following conditions:
 1. Places the individual in reasonable fear of harm to the individual's person or property.
 2. Has a substantial detrimental effect on the individual's physical or mental health.
 3. Has the effect of substantially interfering with the individual's academic or career performance. Has the effect of substantially interfering with the individual's ability to participate in or benefit from the services, activities, or privileges provided by a school.
- "Trait or characteristic of the individual" 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.
- "Volunteer" means an individual who has regular, significant contact with students.

Publication of Policy

The board will annually publish this policy. The policy may be publicized by the following means:

- Inclusion in the student handbook,
- Inclusion in the employee handbook
- Inclusion in the registration materials
- Inclusion on the school or school district's web site,

NOTE: Some conduct that falls under a school's anti-bullying/anti-harassment policy also may trigger responsibilities under one or more of the federal and state antidiscrimination laws. By limiting the response to a specific application of its anti-bullying/anti-harassment disciplinary policy and the accompanying procedures, a school may fail to properly consider whether the alleged conduct also results in discriminatory bullying and/or harassment.

Legal Reference: 20 U.S.C. §§ 1221-1234i.
 29 U.S.C. § 794.
 42 U.S.C. §§ 2000d-2000d-7.
 42 U.S.C. §§ 12101 2et. seq.
 Iowa Code §§ 216.9; 280.3; 28;
 281 I.A.C. 12.3(6).
Morse v. Frederick, 551 U.S. 393 (2007)

I.C. Iowa Code

Iowa Code § 216.9

Description

Unfair/Discriminatory Practices

Iowa Code § 280.28

Harassment and Bullying Prohibited

Iowa Code § 280.3

Education Program - Attendance Center Requirements

I.A.C. Iowa Administrative Code

Description

281 I.A.C. 12.3

Administration

U.S.C. - United States Code

Description

20 U.S.C. §§ 1221

Education - FERPA - General Provisions

29 U.S.C. §§ 794

Labor - Vocation Rehab Rights

42 U.S.C. § 12101

Public Health - Equal Opportunity - Disabilities

42 U.S.C. § 2000d

Public Health - Civil Rights - Federally Programs

U.S. Supreme Court

Description

551 U.S. 393

Morse v Frederick (2007)

Case Law

Description

Morse v. Frederick

551 U.S. 393 (2007)

Cross References

Code

Description

102

Equal Educational Opportunity

102-R(1)

Equal Educational Opportunity - Grievance Procedure

102-EH(1)

Equal Educational Opportunity - Annual Notice of Nondiscrimination

102-EH(2)

Equal Educational Opportunity - Continuous Notice of Nondiscrimination

102-EH(3)

Equal Educational Opportunity - Notice of Section 504 Student and Parental Rights

102-E(4)	<u>Equal Educational Opportunity - Discrimination Complaint Form</u>
102-E(5)	<u>Equal Educational Opportunity - Witness Disclosure Form</u>
102-E(6)	<u>Equal Educational Opportunity - Disposition of Complaint Form</u>
401.01	<u>Equal Employment Opportunity</u>
401.13	<u>Staff Technology Use/Social Networking</u>
401.13-R(1)	<u>Staff Technology Use/Social Networking - Regulation</u>
402.03	<u>Abuse of Students by School District Employees</u>
404	<u>Employee Conduct and Appearance</u>
404-R(1)	<u>Employee Conduct and Appearance - Code of Professional Conduct and Ethics Regulation</u>
404-R(2)	<u>Employee Conduct and Appearance - Code of Rights and Responsibilities Regulation</u>
604.11	<u>Appropriate Use of Online Learning Platforms</u>
605.06	<u>Internet - Appropriate Use</u>
605.06-R(1)	<u>Internet - Appropriate Use - Regulation</u>
605.06-E(1)	<u>Internet - Appropriate Use - Internet Access Permission Letter to Parents</u>
605.06-E(2)	<u>Internet - Appropriate Use - Violation Notice</u>

COMPLAINT FORM
(Discrimination, Anti-Bullying, and Anti-Harassment)

Date of complaint: _____

Name of Complainant: _____

Are you filling out this form for yourself or someone else (please identify the individual if you are submitting on behalf of someone else):

Who or what entity do you believe discriminated against, harassed, or bullied you (or someone else)?

Date and place of alleged incident(s):

Names of any witnesses (if any): _____

Nature of discrimination, harassment, or bullying alleged (check all that apply):

<input type="checkbox"/>	Age	<input type="checkbox"/>	Physical Attribute	<input type="checkbox"/>	Sex
<input type="checkbox"/>	Disability	<input type="checkbox"/>	Physical/Mental Ability	<input type="checkbox"/>	Sexual Orientation
<input type="checkbox"/>	Familial Status	<input type="checkbox"/>	Political Belief	<input type="checkbox"/>	Socio-economic Background
<input type="checkbox"/>	Gender Identity	<input type="checkbox"/>	Political Party Preference	<input type="checkbox"/>	Other – Please Specify:
<input type="checkbox"/>	Marital Status	<input type="checkbox"/>	Race/Color		
<input type="checkbox"/>	National Origin/Ethnic Background/Ancestry	<input type="checkbox"/>	Religion/Creed		

In the space below, please describe what happened and why you believe that you or someone else has been discriminated against, harassed, or bullied. Please be as specific as possible and attach additional pages if necessary.

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature: _____

Date: _____

WITNESS DISCLOSURE FORM

Name of Witness: _____

Date of interview: _____

Date of initial complaint: _____

Name of Complainant (include whether the Complainant is a student or employee):

Date and place of alleged incident(s):

Nature of discrimination, harassment, or bullying alleged (check all that apply):

<input type="checkbox"/>	Age	<input type="checkbox"/>	Physical Attribute	<input type="checkbox"/>	Sex
<input type="checkbox"/>	Disability	<input type="checkbox"/>	Physical/Mental Ability	<input type="checkbox"/>	Sexual Orientation
<input type="checkbox"/>	Familial Status	<input type="checkbox"/>	Political Belief	<input type="checkbox"/>	Socio-economic Background
<input type="checkbox"/>	Gender Identity	<input type="checkbox"/>	Political Party Preference	<input type="checkbox"/>	Other – Please Specify:
<input type="checkbox"/>	Marital Status	<input type="checkbox"/>	Race/Color		
<input type="checkbox"/>	National Origin/Ethnic Background/Ancestry	<input type="checkbox"/>	Religion/Creed		

Description of incident witnessed: _____

Additional information: _____

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature: _____

Date: _____

DISPOSITION OF COMPLAINT FORM

Date: _____

Date of initial complaint: _____

Name of Complainant (include whether the Complainant is a student or employee):

Date and place of alleged incident(s):

Name of Respondent (include whether the Respondent is a student or employee):

Nature of discrimination, harassment, or bullying alleged (check all that apply):

<input type="checkbox"/>	Age	<input type="checkbox"/>	Physical Attribute	<input type="checkbox"/>	Sex
<input type="checkbox"/>	Disability	<input type="checkbox"/>	Physical/Mental Ability	<input type="checkbox"/>	Sexual Orientation
<input type="checkbox"/>	Familial Status	<input type="checkbox"/>	Political Belief	<input type="checkbox"/>	Socio-economic Background
<input type="checkbox"/>	Gender Identity	<input type="checkbox"/>	Political Party Preference	<input type="checkbox"/>	Other – Please Specify:
<input type="checkbox"/>	Marital Status	<input type="checkbox"/>	Race/Color	<input type="checkbox"/>	
<input type="checkbox"/>	National Origin/Ethnic Background/Ancestry	<input type="checkbox"/>	Religion/Creed	<input type="checkbox"/>	

Summary of Investigation: _____

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature: _____

Date: _____

Regulation 104-R(1): Anti-Bullying/Harassment Policy - Investigation Procedures

Status: ADOPTED

Original Adopted Date: 09/14/2023 | Last Revised Date: | Last Reviewed Date:

Filing a Complaint

An individual who believes that the individual has been harassed or bullied may file a complaint with the superintendent or superintendent's designee. The complaint form is available on the website. If the complainant is a school employee, after filing the complaint with the superintendent or superintendent's designee, the employee may separately notify the parent or guardian of the student alleged to have been harassed or bullied.

An alternate investigator will be designated in the event it is claimed that the superintendent or superintendent's designee committed the alleged bullying or harassment or some other conflict of interest exists. Complaints shall be filed within *28 days* of the event giving rise to the complaint or from the date the Complainant could reasonably become aware of such occurrence. The Complainant will state the nature of the complaint and the remedy requested. The Complainant shall receive assistance as needed.

Investigation

The school district will promptly and reasonably investigate allegations of bullying or harassment upon receipt of a written complaint. The *Superintendent* (hereinafter "Investigator") will be responsible for handling all complaints alleging bullying or harassment.

The investigation may include, but is not limited to the following:

- Interviews with the Complainant and the individual named in the complaint ("Respondent")
- A request for the Complainant to provide a written statement regarding the nature of the complaint;
- A request for the Respondent to provide a written statement;
- Interviews with witnesses identified during the course of the investigation;
- A request for witnesses identified during the course of the investigation to provide a written statement; and
- Review and collection of documentation or information deemed relevant to the investigation.

The Investigator shall consider the totality of circumstances presented in determining whether conduct objectively constitutes bullying or harassment as defined in Board policy. Upon completion of the investigation, the Investigator shall issue a report with respect to the findings, and provide a copy of the report to the appropriate building principal or Superintendent if the investigation involved the building principal

The complaint and identity of the Complainant, Respondent, or witnesses will only be disclosed as reasonably necessary in connection with the investigation or as required by law or policy. Similarly, evidence uncovered in the investigation shall be kept confidential to the extent reasonably possible.

Decision

The investigator, building principal or superintendent, depending on the individuals involved, shall inform the Complainant and the accused about the outcome of the investigation. If, after an investigation, a student is found to be in violation of the policy, the student shall be disciplined by appropriate measures, which may include suspension and expulsion. If after an investigation a school employee is found to be in violation of this policy, the employee shall be disciplined by appropriate measures, which may include termination. If after an investigation a school volunteer is found to be in violation of this policy, the volunteer shall be subject to appropriate measures, which may include exclusion from school grounds.

Individuals who knowingly file false bullying and/or harassment complaints and any person who gives false statements in an investigation may be subject to discipline by appropriate measures, as shall any person who is found to have retaliated against another in violation of this policy. Any student found to have retaliated in violation of this policy shall be subject to measures up to, and including, suspension and expulsion. Any school employee found to have retaliated in violation of this policy shall be subject to measures up to, and including, termination of employment. Any school volunteer found to have retaliated in violation of this policy shall be subject to measures up to, and including, exclusion from school grounds.

NOTE: Some conduct that falls under a school's anti-bullying/anti-harassment policy also may trigger responsibilities under one or more of the federal and state antidiscrimination laws. By limiting the response to a specific application of its anti-bullying/anti-harassment disciplinary policy and the accompanying procedures, a school may fail to properly consider whether the alleged conduct also results in discriminatory bullying and/or harassment.

I.C. Iowa Code	Description
Iowa Code § 216.9	<u>Unfair/Discriminatory Practices</u>
Iowa Code § 280.28	<u>Harassment and Bullying Prohibited</u>
Iowa Code § 280.3	<u>Education Program - Attendance Center Requirements</u>
I.A.C. Iowa Administrative Code	Description
281 I.A.C. 12.3	<u>Administration</u>
U.S.C. - United States Code	Description
20 U.S.C. §§ 1221	<u>Education - FERPA - General Provisions</u>
29 U.S.C. §§ 794	<u>Labor - Vocation Rehab Rights</u>
42 U.S.C. § 12101	<u>Public Health - Equal Opportunity - Disabilities</u>
42 U.S.C. § 2000d	<u>Public Health - Civil Rights - Federally Programs</u>
U.S. Supreme Court	Description

551 U.S. 393

Morse v Frederick (2007)

Case Law

Morse v. Frederick

Description

551 U.S. 393 (2007)

Cross References

Code	Description
102	<u>Equal Educational Opportunity</u>
102-R(1)	<u>Equal Educational Opportunity - Grievance Procedure</u>
102-EH(1)	<u>Equal Educational Opportunity - Annual Notice of Nondiscrimination</u>
102-EH(2)	<u>Equal Educational Opportunity - Continuous Notice of Nondiscrimination</u>
102-EH(3)	<u>Equal Educational Opportunity - Notice of Section 504 Student and Parental Rights</u>
102-E(4)	<u>Equal Educational Opportunity - Discrimination Complaint Form</u>
102-E(5)	<u>Equal Educational Opportunity - Witness Disclosure Form</u>
102-E(6)	<u>Equal Educational Opportunity - Disposition of Complaint Form</u>
401.01	<u>Equal Employment Opportunity</u>
401.13	<u>Staff Technology Use/Social Networking</u>
401.13-R(1)	<u>Staff Technology Use/Social Networking - Regulation</u>
402.03	<u>Abuse of Students by School District Employees</u>
404	<u>Employee Conduct and Appearance</u>
404-R(1)	<u>Employee Conduct and Appearance - Code of Professional Conduct and Ethics Regulation</u>
404-R(2)	<u>Employee Conduct and Appearance - Code of Rights and Responsibilities Regulation</u>
604.11	<u>Appropriate Use of Online Learning Platforms</u>
605.06	<u>Internet - Appropriate Use</u>
605.06-R(1)	<u>Internet - Appropriate Use - Regulation</u>
605.06-E(1)	<u>Internet - Appropriate Use - Internet Access Permission Letter to Parents</u>
605.06-E(2)	<u>Internet - Appropriate Use - Violation Notice</u>

ASSISTANCE ANIMALS

It is the policy of Villisca Community School District to foster an equal education environment for all students, employees and community members within the district. The purpose of this policy is to provide guidance to the district on the proper use of assistance animals while on district property. The district shall allow the use of qualified service animals and assistive animals to accompany individuals with disabilities in all areas of district buildings where the public is normally allowed to go. This can include classrooms, cafeteria and school buses. Individuals with disabilities are people who have a physical or mental impairment that substantially limits one or more major life activities. Service animals are dogs and in some instances miniature horses trained to do work or perform tasks for individuals with disabilities. Assistive animals are simians or any other animal specially trained or in the process of being trained to assist a person with a disability.

Service animals and assistive animals must be current on all required vaccinations. Service animals and assistive animals also must be under control while on district grounds. The animal may be under control by either the individual with a disability, or a handler of the service or assistive animal. Under control means harnessed, leashed or tethered, unless these devices interfere with the animal's work, in which case under voice or other directive control.

Miniature Horses as Service Animals

Miniature horses shall be allowed as service animals within the district whenever it is reasonable to allow them. Factors to consider when determining reasonableness include: whether the miniature horse is house broken; whether the miniature horse is under the owner's control; whether the facility can accommodate the miniature horse's type, size and weight; and whether the miniature horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility.

Establishing the Need for a Service Animal

When no prior notice is given to the district of the use of a service or assistive animal, the superintendent and/or school administrators are permitted to ask the following questions:

"Do you need/require this animal because of a disability?"

If the animal's trained tasks are not readily apparent, the administrator may ask:

"What work or task has the animal been trained to perform?"

Service and Assistive Animals in training

Assuming the handler and animal are otherwise allowed, individuals who train service and/or assistive animals will also be allowed access with their service animal in training to public areas of district buildings and property. The service or assistive animal in training is expected to abide by the same requirements as a service or assistive animal.

Exclusion of Service and Assistive Animals

In certain limited circumstances, it may be reasonable to exclude the use of a service or assistive animal from district property. The superintendent is permitted to exclude service and assistive animals from district buildings and property in the following circumstances: The presence of the animal poses a direct threat to the health and safety of others; the owner or handler is unable to control the animal; the animal is not house broken; the presence of the animal significantly disrupts or interferes with the educational process; or the presence of the animal would require a fundamental alteration to the program. If a service animal is properly excluded from district property, the district shall provide the

student served by the animal the opportunity to participate in the program, service or activity without having the service animal on district property.

Emotional Support Animals and Therapy Animals [Optional section as these animals are not commonly required to be accommodated]

Emotional support animals are medically prescribed to provide therapeutic benefit through dedicated companionship. Emotional support animals' sole function is to provide emotional support or comfort. Therapy animals are involved in an animal-assisted therapy program involving animals as a form of treatment.

Emotional support animals and therapy animals do not meet the definition of service or assistive animals. However, the district recognizes their value in our community. The superintendent shall evaluate the use of emotional support animals and therapy animals on a case-by-case basis. District employees may use therapy animals in the course of their regular duties only after receiving permission from the superintendent.

Student use of Emotional Support Animals and Therapy Animals

Factors the superintendent should consider in making the determination include but are not limited to:

- a. Whether the animal is housebroken*
- b. Whether the animal has a current vaccination certificate*
- c. Whether the animal has been recommended through an individual education plan (IEP) or a 504 plan as necessary for the student to receive free access to public education*
- d. Whether the facility can accommodate the animal's type size and weight, and*
- e. Whether the animal's presence will not compromise legitimate safety requirements necessary for safe operation of the facility*

Employee use of Therapy Animals as part of Education Environment

Before permission to use therapy animals is granted, staff members must provide:

- 1. Proof that the animal is certified to be a therapy animal;*
- 2. An explanation of how the animal will be used, including research supporting the use of therapy animals;*
- 3. A plan for how the staff member will provide for the care and control of the animal;*
- 4. A plan for how the staff member will accommodate students with allergies to the animal; and*
- 5. A current vaccination certificate for the animal.*

Legal References: 29 U.S.C. §794
 42 U.S.C. §12132
 28 C.F.R. 35
 Iowa Code §216C

Cross References: 606.3 Animals in the Classroom

NOTE: The use of service and assistive animals is a civil right established by federal and state laws. However, the use of emotional support and therapy animals does not necessarily have the same protections. The portion of this policy in italics reflects optional language for your district to consider.

Approved 11/12/19

Reviewed 10/10/19

Revised _____