

CLARKE COMMUNITY SCHOOL DISTRICT

Series 100

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Updated 10/27/08, 3/24/14, 9/23/14, 3/14/16, 4/25/16, 6/17/19; 12/14/20

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 Clarke Community School District.

This school corporation is located in Clarke, Decatur and Lucas Counties, and its affairs are conducted by elected school officials, the Clarke 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 (2003).

Cross Reference: 200 Legal Status of the Board of Directors

Approved August 18, 2003 Reviewed 10/27/08; 3/24/14; 5/13/19 Revised \_\_\_\_\_

EDUCATIONAL PHILOSOPHY OF THE SCHOOL DISTRICT

As a school corporation of Iowa, the Clarke 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 students' 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, .11A (2003).

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 August 18, 2003 Reviewed 10/27/08, 3/24/14; 5/13/19 Revised \_\_\_\_\_

## EQUAL EDUCATIONAL OPPORTUNITY

It is the policy of the Clarke Community School District not to discriminate on the basis of race, color, national origin, sex, disability, religion, creed, age (for employment), marital status (from 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 the Equity Coordinator, Shane Stephens, 800 N Jackson, Osceola, IA 50213, (641) 342-4221 ext. 500, or [shane.stephens@clarke.k12.is.us](mailto:shane.stephens@clarke.k12.is.us).

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.

Legal Reference: 20 U.S.C. §§ 1221 *et seq.*  
 20 U.S.C. §§ 1681 *et seq.*  
 20 U.S.C. §§ 1701 *et seq.*  
 29 U.S.C. § 206 *et seq.*  
 29 U.S.C. § 794  
 42 U.S.C. §§ 2000d and 2000e.  
 42 U.S.C. §§ 12101 *et seq.*  
 34 C.F.R. Pt. 100  
 34 C.F.R. Pt. 104  
 Iowa Code §§ 216.6; 216.9; 256.11; 280.3  
 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

Approved August 12, 1991

Reviewed 10/27/08

Revised January 26, 1998; August 18, 2003;  
7/30/07; 4/22/13; 3/24/14; 3/14/16; 6/12/17;  
12/10/18; 8/10/20

ANNUAL NOTICE OF NONDISCRIMINATION

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

- Agriculture
- Business
- Family consumer Science
- Health Science
- Industrial Arts

It is the policy of the Clarke 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 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 the Curriculum Director/Equity Coordinator, Shane Stephens, 800 N Jackson St., Osceola, IA 50213, 641-342-4221 ext. 500, or [shane.stephens@clarke.k12.is.us](mailto:shane.stephens@clarke.k12.is.us).

Revised: 4/22/13, 3/24/14, 4/25/16; 6/12/17; 12/10/18; 8/10/20

CONTINUOUS NOTICE OF NONDISCRIMINATION

It is the policy of the Clarke 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 the Equity Coordinator, Shane Stephens, 800 N Jackson, Osceola, IA 50213, 641-342-4221 ext. 500, or [shane.stephens@clarke.k12.is.us](mailto:shane.stephens@clarke.k12.is.us).

Reviewed 3/24/14

Revised 3/14/16; 6/12/17; 12/10/18; 8/10/20

## SECTION 504 STUDENT AND PARENTAL RIGHTS

The Clarke Community School District 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 Clarke 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 the Equity Coordinator, Shane Stephens, 800 N Jackson, Osceola, IA 50213, (641) 342-4221 ext. 500, or [shane.stephens@clarke.k12.is.us](mailto:shane.stephens@clarke.k12.is.us).

Reviewed 3/24/14

Revised 3/14/16; 6/12/17; 12/10/18; 8/10/20

**COMPLAINT FORM**  
(Discrimination)

Name of Student: \_\_\_\_\_ Grade: \_\_\_\_\_

Date of complaint: \_\_\_\_\_

Name of the alleged harasser or bully: \_\_\_\_\_

Witnesses: \_\_\_\_\_

**Please identify each of the following 18 categories (real or perceived) for which the student is reported to have bullied/harassed. Check all that apply:**

<input type="radio"/> Age	<input type="radio"/> Color	<input type="radio"/> Race	<input type="radio"/> Creed
<input type="radio"/> National Origin	<input type="radio"/> Ancestry	<input type="radio"/> Marital Status	<input type="radio"/> Sex
<input type="radio"/> Religion	<input type="radio"/> Gender Identity	<input type="radio"/> Physical Attributes	<input type="radio"/> Physical/Mental Abilities
<input type="radio"/> Political Belief	<input type="radio"/> Political Party Preference	<input type="radio"/> Socioeconomic Status	<input type="radio"/> Sexual Orientation
<input type="radio"/> Familial Status	<input type="radio"/> Other:		

**Method of bullying/harassment (check all that apply):**

<input type="radio"/> Electronic Communication	<input type="radio"/> Written Communication (e.g. cyber, notes...)
<input type="radio"/> Verbal	<input type="radio"/> Physical
<input type="radio"/> Social/Relational (ostracizing, exclusion)	<input type="radio"/> Other:

**Location of the incident (check all that apply):**

<input type="radio"/> Bus	<input type="radio"/> Hallway	<input type="radio"/> Classroom	<input type="radio"/> Locker Room
<input type="radio"/> Gym	<input type="radio"/> Cafeteria	<input type="radio"/> Extracurricular Activity (on/off campus)	<input type="radio"/> Bathroom
<input type="radio"/> Hallway	<input type="radio"/> School Grounds	<input type="radio"/> Other:	

**\*Please attach a copy of the target's written statement**

\_\_\_\_\_  
Parent Signature Required

\_\_\_\_\_  
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 alleged (check all that apply):

<input type="checkbox"/>	Age Physical Attribute	<input type="checkbox"/>	Sex	<input type="checkbox"/>	Sexual Orientation
<input type="checkbox"/>	Disability	<input type="checkbox"/>	Physical/Mental Ability	<input type="checkbox"/>	Socio-economic Background
<input type="checkbox"/>	Familial Status	<input type="checkbox"/>	Political Belief	<input type="checkbox"/>	Other – Please Specify:
<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	<input type="checkbox"/>	Religion/Creed	<input type="checkbox"/>	
<input type="checkbox"/>	Background/ancestry	<input type="checkbox"/>		<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: \_\_\_\_\_

Approved: 3/14/16

Revised: 6/17/19

## GRIEVANCE PROCEDURE

It is the policy of the Clarke 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 the Equity Coordinator, Shane Stephens, 800 N Jackson, Osceola, IA 50213, (641)342-4221 ext. or shane.stephens@clarke.k12.is.us.

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 Complaint 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 all 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

## GRIEVANCE PROCEDURE

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 Complaint, 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.

Revised: 4/22/13, 3/24/14; 3/14/16; 6/12/17; 12/10/18; 8/10/20

## 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 determines how well students are meeting student learning. 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.

Advisory committees and Advisory Boards representing students, parents, teachers, administrators, and the community shall be appointed to make recommendations for the goals and objectives of the educational program and the school district as a whole. Clarke CSD School Improvement Advisory Committee (SIAC) fulfills this role and the Annual Progress Report is presented to the Board of Directors, distributed in the community, and posted on the District's website.

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 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.

***NOTE: This is a mandatory policy. Boards should add their local process in the third paragraph.***

Legal Reference: Iowa Code §§ 21; 256.7; 280.12, .18 (2003).  
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 August 12, 1991 Reviewed 10/27/08 Revised August 18, 2003; 3/24/14; 12/10/18

## LONG-RANGE NEEDS ASSESSMENT

School districts also need to develop a process for long-range needs assessment. The process needs to include three items.

1. provisions for collecting, analyzing and reporting information derived from local, state and national sources;
2. provisions for reviewing information acquired on the following:
  - state indicators and other locally determined indicators,
  - locally established student learning goals,
  - specific data collection required by state and federal programs;
3. provisions for collecting and analyzing assessment data on the following:
  - state indicators,
  - locally determined indicators,
  - locally established student learning goals.

The long-range needs assessment process is mandatory but it does not need to be an administrative regulation supporting the long-range needs assessment policy. It is, however, recommended that it become an administrative regulation to support the policy to ensure completeness and consistency.

Reviewed 3/24/14; 5/13/19

## ANTI-BULLYING/HARASSMENT POLICY

The Clarke Community School District is committed to providing all students with a safe and civil school environment in which all members of the school community are treated with dignity and respect. Bullying and/or harassment of or by students, 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 school employees to maintain a safe and civil environment, and the ability of students to learn and succeed. Therefore, it is the policy of the state and the school district that school employees, volunteers, and students shall not engage in bullying or harassing behavior in school, on school property, or at any school function or school-sponsored activity.

### 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” shall mean any electronic, written, verbal, or physical act or conduct toward a student based on the individual’s actual or perceived 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, and which creates an objectively hostile school environment that meets one or more of the following conditions:
  - (1) Places the student in reasonable fear of harm to the student’s person or property.
  - (2) Has a substantial detrimental effect on the student’s physical or mental health.
  - (3) Has the effect of substantially interfering with a 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 a school.
- “Trait or characteristic of the student” 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.

### Filing a Complaint

A Complainant who wishes to avail himself/herself of this procedure may do so by filing a complaint with the superintendent or superintendent’s designee. An alternate will be designated in the event it is claimed that the superintendent or superintendent’s designee committed the alleged discrimination or some other conflict of interest exists. Complaints shall be filed within 180 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.

School employees, volunteers, and students shall not engage in reprisal, retaliation, or false accusation against a victim, witness, or an individual who has reliable information about an act of bullying or harassment.

### Investigation

The school district will promptly and reasonably investigate allegations of bullying or harassment. The Harassment Grievance Officer, who is appointed annually by the board (hereinafter “Investigator”) will be responsible for handling all complaints alleging bullying or harassment. The Investigator shall consider the totality of circumstances presented in determining whether conduct objectively constitutes bullying or harassment. The superintendent or the superintendent’s designee shall also be responsible for developing procedures regarding this policy.

## ANTI-BULLYING/HARASSMENT POLICY

### Decision

If, after an investigation, a student is found to be in violation of this 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 as 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.

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 policy adopted pursuant to this section, 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.

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, 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.

### 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,
- (other) \_\_\_\_\_

Approved June 25, 2007

Reviewed 10/27/08

Revised 8/20/07; 10/22/07; 10/13/08;  
4/22/13, 3/24/14; 3/14/16; 6/17/19

Legal References: 20 U.S.C. §§ 1221-1234i  
29 U.S.C. § 794  
42 U.S.C. §§ 2000d-2000d  
42 U.S.C. §§ 12101 *et. seq.*  
Iowa Code §§ 216.9; 280.28; 280.3  
281 I.A.C. 12.3(6).  
*Morse v. Frederick*, 551 U.S. 393 (2007)

Cross References: 102 Equal Educational Opportunity  
502 Student Rights and Responsibilities  
503 Student Discipline  
506 Student Records

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

**Anti-Bully/Harassment Form**  
**Target Form**

Name of Student: \_\_\_\_\_ Grade: \_\_\_\_\_

Date of complaint: \_\_\_\_\_

Name of the alleged harasser or bully: \_\_\_\_\_

Witnesses: \_\_\_\_\_

**Please identify each of the following 18 categories (real or perceived) for which the student is reported to have bullied/harassed. Check all that apply:**

<input type="checkbox"/> Age	<input type="checkbox"/> Color	<input type="checkbox"/> Race	<input type="checkbox"/> Creed
<input type="checkbox"/> National Origin	<input type="checkbox"/> Ancestry	<input type="checkbox"/> Marital Status	<input type="checkbox"/> Sex
<input type="checkbox"/> Religion	<input type="checkbox"/> Gender Identity	<input type="checkbox"/> Physical Attributes	<input type="checkbox"/> Physical/Mental Abilities
<input type="checkbox"/> Political Belief	<input type="checkbox"/> Political Party Preference	<input type="checkbox"/> Socioeconomic Status	<input type="checkbox"/> Sexual Orientation
<input type="checkbox"/> Familial Status	<input type="checkbox"/> Other:		

**Method of bullying/harassment (check all that apply):**

<input type="checkbox"/> Electronic Communication	<input type="checkbox"/> Written Communication (e.g. cyber, notes...)
<input type="checkbox"/> Verbal	<input type="checkbox"/> Physical
<input type="checkbox"/> Social/Relational (ostracizing, exclusion)	<input type="checkbox"/> Other:

**Location of the incident (check all that apply):**

<input type="checkbox"/> Bus	<input type="checkbox"/> Hallway	<input type="checkbox"/> Classroom	<input type="checkbox"/> Locker Room
<input type="checkbox"/> Gym	<input type="checkbox"/> Cafeteria	<input type="checkbox"/> Extracurricular Activity (on/off campus)	<input type="checkbox"/> Bathroom
<input type="checkbox"/> Hallway	<input type="checkbox"/> School Grounds	<input type="checkbox"/> Other:	

**\*Please attach a copy of the target's written statement**

\_\_\_\_\_  
Parent Signature Required

\_\_\_\_\_  
Date

Revised: 4/22/13, 3/24/14; 9/22/14; 3/14/16; 6/17/19

Code No. 104.E2



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

Approved: 3/14/16; 6/17/19

DISPOSITION OF COMPLAINT FORM  
**Anti-Bully/Harassment Form**  
*Bully/Harasser Form*

Name of Student: \_\_\_\_\_ Grade: \_\_\_\_\_

Date of complaint: \_\_\_\_\_

Witnesses: \_\_\_\_\_

**Please identify the alleged person to have bullied/harassed:**

<input type="radio"/> District Student	<input type="radio"/> Student from other district	<input type="radio"/> School Staff Member	<input type="radio"/> Volunteer
--	---	---	---------------------------------

**If the Iowa Anti-Bullying/Harassment law was violated, please check all of the reasons that apply below:**

<input type="radio"/> Was violated because the conduct places the student in reasonable fear of harm to the student's person or property
<input type="radio"/> Was violated because conduct has a substantially detrimental effect of the student's physical or mental health
<input type="radio"/> Was violated because conducted has the effect of substantial interfering with the student's academic performance.
<input type="radio"/> Was violated because the conduct has the effect of substantially interfering with the student' ability to participate in or benefit from the services, actives, or privileges provided by a school

**If the Iowa Anti-Bullying/Harassment law was violated, please check the box indicating another law, school policy, or rule was violated OR check the box indicating that no law, school policy, or rule was violated.**

<input type="radio"/> Was NOT violated nor was any other law/school policy/rule violated
<input type="radio"/> Was NOT violated but another law/school policy/rule was violated. (such as school code of conduct) *

Please indicate which law/school policy/rule was violated: \_\_\_\_\_

\_\_\_\_\_

Other information: \_\_\_\_\_

\_\_\_\_\_

**Please check all of the following consequences/remedial actions that apply:**

<input type="checkbox"/> Verbal Warning	<input type="checkbox"/> Written Warning	<input type="checkbox"/> Parent(s) or guardian(s) notified	<input type="checkbox"/> Parent(s) or guardian(s) conference
---	--	--	--

○ Signed agreement to avoid further incidents	○ Support from counselor (follow-up)	○ Restricted privileges (includes loss of recess, isolated lunch, extracurricular activities, etc...)	○ Specialized seating arrangement
○ Individual Behavior Plan Focusing on bullying behaviors	○ Detention (includes Saturday school)	○ In School Suspension # of Days:	○ SRO Referral
○ Suspension or expulsion ○ # of Days:	○ Law enforcement involved	○ Community Service	○ Bus Suspension ○ # of Days:
○ Student conference with Administrator	○ Referral to Internal Team	○ No consequences warranted	○
○ Other:			

\*Attach the bully's written statement or any evidence of the harassment or bullying (i.e. letters, notes, photos...)

Approved: 3/14/16  
Reviewed: 5/13/19

## ANTI-BULLYING/HARASSMENT INVESTIGATION PROCEDURES

The Clarke Community School District is committed to providing all students with a safe and civil school environment in which all members of the school community are treated with dignity and respect. Bullying and/or harassment of or by students, 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 school employees to maintain a safe and civil environment, and the ability of students to learn and succeed. Therefore, it is the policy of the state and the school district that school employees, volunteers, and students shall not engage in bullying or harassing behavior in school, on school property, or at any school function or school-sponsored activity.

### 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” shall mean any electronic, written, verbal, or physical act or conduct toward a student based on the individual’s actual or perceived 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, and which creates an objectively hostile school environment that meets one or more of the following conditions:
  - (1) Places the student in reasonable fear of harm to the student’s person or property.
  - (2) Has a substantial detrimental effect on the student’s physical or mental health.
  - (3) Has the effect of substantially interfering with a 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 a school.
- “Trait or characteristic of the student” 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.

### Filing a Complaint

A Complainant who wishes to avail himself/herself of this procedure may do so by filing a complaint with the superintendent or superintendent’s designee. An alternate will be designated in the event it is claimed that the superintendent or superintendent’s designee committed the alleged discrimination or some other conflict of interest exists. Complaints shall be filed within 180 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.

School employees, volunteers, and students shall not engage in reprisal, retaliation, or false accusation against a victim, witness, or an individual who has reliable information about an act of bullying or harassment.

### Investigation

The school district will promptly and reasonably investigate allegations of bullying or harassment. The Equity Coordinator (hereinafter “Investigator”) will be responsible for handling all complaints alleging bullying or harassment.

## ANTI-BULLYING/HARASSMENT INVESTIGATION PROCEDURES

If the Complainant is under 18 years of age, the Investigator shall notify his or her parent(s)/guardian(s) that they may attend investigatory meetings in which the Complaint 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 (hereinafter “Respondent” to provide a written statement;
- A request for witnesses identified during the course of the investigation to provide a written statement; and
- Review all 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. Upon completion of the investigation, the Investigator shall issue a report with respect to the findings.

### **Decision**

If, after an investigation, a student is found to be in violation of this 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 as 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.

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 policy adopted pursuant to this section, 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.

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, 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.

Reviewed 3/24/14; 5/13/19

Revised 3/14/16

## ASSISTANCE ANIMALS

It is the policy of [school district name] 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***

*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

Approved 6/17/19           Reviewed \_\_\_\_\_           Revised \_\_\_\_\_

DISCRIMINATION AND HARASSMENT BASED ON SEX PROHIBITED

In accordance with Title IX of the Education Amendments Act of 1972, the Clarke Community School District prohibits sex discrimination, including sexual harassment as defined by the regulations implementing Title IX (34 C.F.R. § 106.30), against any individual participating in any education program or activity of the District. This prohibition on discrimination applies to students, employees, and applicants for employment.

The Board authorizes the Superintendent to adopt procedures for any individual to report sexual harassment to the District’s Title IX Coordinator, for the provision of supportive measures to anyone who has been subjected to sexual harassment whether or not they proceed with a formal complaint under those procedures, and for the investigation and resolution of such complaints, as required by Title IX. This Title IX grievance process shall be used to respond to all complaints of sexual harassment that fall within the scope of Title IX. For complaints of sexual harassment that do not fall within the scope of Title IX, the District may still offer supportive measures to the subject of such conduct and shall apply any other policy or procedure applicable to the alleged conduct.

Any individual with questions about the District’s Title IX policy and procedures, or who would like to make a report or file a formal complaint of sex discrimination or sexual harassment may contact the District’s designated Title Coordinator, Jean Bahls; 800 North Jackson; Osceola, Iowa 50213; 641-342-4969; jean.bahls@clarke.k12.ia.us.

Retaliation against a person who made a report or complaint of sexual harassment, assisted, or participated in any manner in an investigation or resolution of a sexual harassment report or complaint is strictly prohibited. Retaliation includes threats, coercion, discrimination, intimidation, reprisals, and/or adverse actions related to employment or education. Any individual who believed they have been retaliated against in violation of this Policy should immediately contact the District’s Title IX Coordinator.

Legal References:       20 U.S.C. § 1681 *et seq.*  
                                  34 C.F.R. § 106 *et seq.*

Approved 12/14/20

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_



Formal Complaint of Sexual Harassment

Name: \_\_\_\_\_

Date: \_\_\_\_\_

Name of individual(s) who engaged in the conduct alleged below:

Describe the conduct that led to this complaint (attach additional pages if needed):

Date(s) of each incident:

Location(s) of each incident:

Names of possible witnesses:

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

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Approved 12/14/20

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

Reporting Form for Individuals to Report Sexual Harassment

Name of individual filing this report: \_\_\_\_\_

Date: \_\_\_\_\_

Were you the target of the conduct alleged in this report?

If no, who was the target of the conduct alleged in this report?

Name of individual who engaged in the conduct alleged below:

Describe the conduct that led to this complaint (attach additional pages if needed):

Date(s) of each incident:

Location(s) of each incident:

Names of possible witnesses:

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

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Approved 12/14/20

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

Notice of Investigation to Complainant

[To be provided by Title IX Coordinator to Complainant at the initiation of an investigation]

[Date]

Dear [Complainant's Name],

The [NAME] Community School District received your complaint alleging that [Respondent's name] (the "Respondent") engaged in conduct that may constitute sexual misconduct under District Policy. Specifically, you submitted a complaint alleging that the Respondent [description of alleged conduct in complaint including time, date, location, and specific acts of respondent alleged in complaint].

The policy Respondent is alleged to have violated is [insert all applicable policy names/numbers – including Title IX and others as applicable], and specifically its prohibition on [specific type of sexual harassment alleged – e.g., hostile environment, stalking, etc.]. A complete copy of the District's Title IX procedures is [insert link or attach to this letter]. Please review these procedures carefully and let me know if you have any questions.

The District must investigate formal complaints of potential sexual misconduct as required by policy and law, to the extent of the information available. We have assigned [NAME(s)] as the Investigator(s) who will gather information and make factual findings in this case. If you have any concerns about the impartiality of the Investigator(s), please let me know immediately.

The Respondent is entitled to a presumption of innocence, which will be maintained throughout the process until a determination of responsibility is made. The Investigator(s) will be in contact with you to schedule a time to formally interview you for the investigation. You may be accompanied by a support person, advisor, or advocate of your choice to the investigation interview, including a lawyer, at your own expense. This person should not be someone who you will also identify as a witness.

As part of this process, you will have a right to provide evidence and witnesses for the Investigator's consideration, and to review and comment on evidence gathered by the Investigator(s) from the other party and witnesses. The District will objectively evaluate all relevant evidence, including inculpatory (proves a violation) and exculpatory (proves no violation) evidence to reach a determination of responsibility.

Consistent with the Policy, you are hereby directed not to delete any potentially relevant evidence, including electronic files, records, or data in your possession. You are further directed not to sell, give away, destroy, or otherwise surrender possession of any personal or District-issued devices. Do not wipe or reformat any personal or District-issued devices. Do not delete any social media or email accounts that you currently have or delete any content or data from the same. These directives are effective immediately and remain in effect until further notice. If you have any questions about this directive, please contact me.

The District works to maintain confidentiality in the resolution process, and we ask for your discretion in minimizing the sharing of information to respect the sensitivity of this matter to all parties. You are directed to refrain from contacting the Respondent throughout this process. Additionally, you are reminded about the District's policy against retaliation, either by you or by someone acting on your behalf. Any individual who believes they have been retaliated against for participation in this process should immediately report it to

\_\_\_\_\_.

You are expected to cooperate in an honest and forthright manner with this investigation. Making false statements or knowingly submitting false information during the grievance process is prohibited by the District and may constitute an independent basis for disciplinary sanctions against any student or employee, up to and including suspension or expulsion of a student or termination of an employee's employment.

I understand this is a lot of information. Please let me know if you have any questions at any point during the process.

Sincerely,

---

Title IX Coordinator

Jean Bahls, Community School District

800 N Jackson St, Osceola, IA 50213; 641-342-6505; [jean.bahls@clarke.k12.ia.us](mailto:jean.bahls@clarke.k12.ia.us)

Approved 12/14/20

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

Notice of Investigation to Respondent

[To be provided simultaneously by Title IX Coordinator to Respondent upon initiation of investigation]

[Date]

Dear [Respondent's Name],

The Community School District received a complaint alleging that you engaged in conduct that may constitute sexual misconduct under District Policy. Specifically, [name of complainant] (the "Complainant") submitted a complaint alleging that you [description of alleged conduct in complaint including time, date, location, and specific acts of respondent alleged in complaint].

The policy you are alleged to have violated is [insert all applicable policy names/numbers – including Title IX and others as applicable], and specifically its prohibition on [specific type of sexual harassment alleged – e.g., hostile environment, stalking, etc.]. A complete copy of the District's Title IX procedures is [insert link or attach to this letter]. Please review these procedures carefully and let me know if you have any questions.

The District must investigate formal complaints of potential sexual misconduct as required by policy and law, to the extent of the information available. We have assigned [NAME(s)] as the Investigator(s) who will gather information and make factual findings in this case. If you have any concerns about the impartiality of the Investigator(s), please let me know immediately.

You are entitled to a presumption of innocence, which will be maintained throughout the process until a determination of responsibility is made. The Investigator(s) will be in contact with you to schedule a time to formally interview you for the investigation. You may be accompanied by a support person, advisor, or advocate of your choice to the investigation interview, including a lawyer, at your own expense. This person should not be someone who you will also identify as a witness.

As part of this process, you will have a right to provide evidence and witnesses for the Investigator's consideration, and to review and comment on evidence gathered by the Investigator(s) from the other party and witnesses. The District will objectively evaluate all relevant evidence, including inculpatory (proves a violation) and exculpatory (proves no violation) evidence to reach a determination of responsibility.

Consistent with the Policy, you are hereby directed not to delete any potentially relevant evidence, including electronic files, records, or data in your possession. You are further directed not to sell, give away, destroy, or otherwise surrender possession of any personal or District-issued devices. Do not wipe or reformat any personal or District-issued devices. Do not delete any social media or email accounts that you currently have or delete any content or data from the same. These directives are effective immediately and remain in effect until further notice. If you have any questions about this directive, please contact me.

The District works to maintain confidentiality in the resolution process, and we ask for your discretion in minimizing the sharing of information to respect the sensitivity of this matter to all parties. You are directed to refrain from contacting the Complainant throughout this process. Additionally, you are reminded about the District's policy against retaliation, either by you or by someone acting on your behalf. Any individual who believes they have been retaliated against for participation in this process should immediately report it to

\_\_\_\_\_.

You are expected to cooperate in an honest and forthright manner with this investigation. Making false statements or knowingly submitting false information during the grievance process is prohibited by the District and may constitute an independent basis for disciplinary sanctions against any student or employee, up to and including suspension or expulsion of a student or termination of an employee's employment.

I understand this is a lot of information. Please let me know if you have any questions at any point during the process.

Sincerely,

---

Title IX Coordinator  
Jean Bahls Community School District  
800 N Jackson St, Osceola, IA 50213; 641-342-6505; [jean.bahls@clarke.k12.ia.us](mailto:jean.bahls@clarke.k12.ia.us)

Approved 12/14/20 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

Notice of Interview

[to be provided to complainant(s) and respondent(s) prior to any interview or other meeting with sufficient time to prepare for the interview/meeting]

[Date]

Dear [name of party]:

As you know from the Notice of Investigation, the District is conducting an investigation into a complaint of sexual harassment in which you are named as a party.

You will be interviewed by the District's Investigator(s), [insert investigator(s) names] at [location], on [date] at [time]. The purpose of this interview is to ask you questions about what you know or may know about the allegations in the complaint, including identifying and producing any relevant evidence and witness names for the Investigator's consideration.

The individuals present at this interview will be yourself, the Investigator, [include any other names of anticipated attendees, if any]. You are entitled to be accompanied by a support person, advocate, or attorney, at your own expense. However, any person accompanying you may not participate in the interview, answer questions on your behalf, or question the Investigator about any matter.

If you have any questions, please let me know.

Sincerely,

---

Title IX Coordinator  
Jean Bahls Community School District  
800 N Jackson St, Osceola, IA 50213; 641-342-6505; [jean.bahls@clarke.k12.ia.us](mailto:jean.bahls@clarke.k12.ia.us)

Approved 12/14/20

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_





## Title IX Investigation Report Form

[to be completed by Title IX Investigator(s)]

**Name of Investigator:****Date of report:**

**Scope of investigation:** This investigation considered claims made by [Complainant name and role (student, employee, etc.)] (the "Complainant") as to whether or not [Respondent name and role] (the "Respondent") has violated District policy no. [insert name and title of Title IX and other applicable policies].

This report will only provide a summary of the facts as determined by the investigator and is not a final determination of the allegations.

**Jurisdiction:** [state whether the evidence shows that the District exercises substantial control over both the Respondent and the circumstances under which the alleged sexual harassment occurred – if not, then the complaint must be dismissed from the Title IX process, and can be handled under any other applicable District policy or procedure].

**Parties (list all):**

Complainant- NAME

Respondent – NAME

**Nature of Alleged Conduct Constituting Sexual Harassment:****Procedural history:**

- A report was made to the District by \_\_\_\_\_ on [date]. A formal complaint was provided by the Complainant to the Title IX Coordinator on [date].
- The Title IX Coordinator assigned this Investigator on [date] to conduct an investigation into the formal complaint. Notices of Investigation were provided to both parties on [date].
- This Investigator interviewed the following individuals:
  - Complainant – name and date of interview
  - Respondent – name and date of interview
  - Any witnesses – names and dates of interview
- On [date not less than 10 days before the date of this report], this Investigator provided Complainant and Respondent with copies of all evidence obtained by this Investigator. Complainant and Respondent had an opportunity to provide a written response to this evidence, prior to the Investigator completing this Investigation Report. [Indicate whether each party did or did not provide a written response].
- [include any other procedural steps, including if there have been significant delays in the process or other unexpected events]

**Summary of Interviews:**

Complainant Interview:

Witness A interview:

Witness B interview:

Respondent Interview:

**Summary of Other Evidence Received:**

**Feedback from Parties following Receipt of Evidence Directly Relating to Complaint:**

**Investigator's Observations Regarding Credibility of Parties and Witnesses:**

***Note: Investigator's Observations Regarding Credibility of Parties and Witnesses is optional but not required. Ultimately the decision-maker's job, but the investigator has the ability to observe firsthand so might be helpful to decision-maker. REMOVE this note once a decision has been made, prior to publishing.***

This report will be provided to the Title IX Coordinator, Complainant and Respondent (and any advocate or attorney for each), and \_\_\_\_\_, who has been designed as the Decision-Maker for this Complaint.

Sincerely,

\_\_\_\_\_

[Name, title], Investigator

Approved 12/14/20

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

## Decision on Formal Complaint

[to be completed by decision-maker]

**Name of Decision-Maker(s):****Date of Determination:****Names of Parties to the Complaint:** [Complainant(s) and Respondent(s)]**List the allegations in the complaint:****Procedural history:** [A description of the procedural steps taken from the receipt of the formal complaint through the determination of responsibility – can use what is in the investigation report as a starting point in addition to the following:]

- The parties were provided the investigation report on [date – at least 10 days prior to date of this determination]. The parties had an opportunity to submit written response to the investigation report for consideration prior to this decision-maker reaching a determination regarding responsibility. [indicate whether each party did or did not submit a written response].
- The parties had an opportunity to submit written questions to be asked of the other party and any witnesses. The decision-maker asked all relevant questions and provided the responses to those questions to the parties. The parties had a limited opportunity for follow-up questions [if applicable].
- The decision-maker considered all available, relevant evidence prior to reaching the determination(s) contained in this report.

**Findings of fact for each allegation:**Statement of undisputed material facts:Findings on disputed material facts:**Conclusions:** [Conclusions for each allegation regarding the application of this Policy and any other relevant District policy, procedure, handbook provision, or rule to the facts. Include a statement of whether each allegation is founded or unfounded, and rationale for this determination]**Sanctions:** [Include any sanctions that will be imposed (or recommended if outside the authority of the decision-maker) on respondent, if any, and a rationale therefor]**Remedies:** [include any remedies the District will provide to restore or preserve Complainant's access to the District's educational program or activity, if applicable, and a rationale therefor]**Appeal Procedures:** Within five (5) calendar days of delivery of the written decision to them, either party may appeal this decision and/or any sanction imposed herein to \_\_\_\_\_ or her/his designee. Such appeals will be in writing and will be delivered to the \_\_\_\_\_ or her/his designee. The \_\_\_\_\_ or her/his designee will determine if the written decision will be stayed pending the outcome of the appellate decision. Appeals will be limited to any of the following bases:

- A procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the written decision was issued that could affect the outcome of the matter; or
- The Title IX Coordinator, Investigator(s), or Decision-Maker had a conflict of interest or bias that affected the outcome of the matter.

The \_\_\_\_\_ or her/his designee will notify both parties in writing if an appeal is received alleging one of the bases for appeal above. Both parties will be given an opportunity to submit a written statement in support of, or challenging, the written decision. The parties' written statements must be submitted within five (5) calendar days of notice of the appeal.

**Retaliation:** Retaliation against a person who reports sexual misconduct, assists someone with a report of sexual misconduct, or participates in any manner in an investigation or resolution of a sexual misconduct report is strictly prohibited. Retaliation includes threats, coercion, discrimination, intimidation, reprisals, and/or adverse actions related to employment or education. Any individual who believed they have been retaliated against in violation of this Policy should immediately contact the District's Title IX Coordinator, Jean Bahls; 800 N Jackson St, Osceola, IA 50213; 641-342-6505; jean.bahls@clarke.k12.ia.us.

Sincerely,

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[name(s) and title(s) of decision-maker(s)] Date

Approved 12/14/20  
\_\_\_\_\_

Reviewed \_\_\_\_\_

Revised

**Appeal Form**

[to be filled out by a party wishing to appeal the initial determination/sanction]

Name of Appealing Party:

Role in complaint: [Complainant or Respondent]

Date:

I, \_\_\_\_\_, hereby appeal the written decision on the grounds that (check at least one):

\_\_\_ A procedural irregularity affected the outcome of the matter. The facts supporting this appeal are (attach additional pages if needed):

\_\_\_ New evidence was not reasonably available at the time the written decision was issued that could affect the outcome of the matter. The facts supporting this appeal are (attach additional pages if needed):

\_\_\_ The Title IX Coordinator, Investigator(s), or Decision-Maker(s) had a conflict of interest or bias that affected the outcome of the matter. The facts supporting this appeal are (attach additional pages if needed):

I hereby affirm that the foregoing is true and correct to the best of my knowledge.

\_\_\_\_\_  
Signature of appealing party

Approved 12/14/20

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

Notice of Appeal

[to be provided simultaneously to both Complainant and Respondent]

[date]

Dear [party name]:

This is a notice that a timely appeal has been filed by [name of appealing party] challenging the decision issued by [name and title of initial decision-maker] in the formal sexual harassment complaint made by [Complainant's name] against [Respondent's name].

This appeal alleges that [state the basis for appeal provided on the appeal form and briefly summarize the allegations of the appealing party].

This appeal will be reviewed by [name and title of appeal decision-maker]. You have the right to provide a written statement to [the appeal decision-maker] in support of, or challenging, the written decision. Please submit your written statement [indicate whether in-person, email, or other] within five (5) calendar days of the date of this letter.

If you have any questions, please let me know.

Sincerely,

---

[name, title, contact information]

Approved 12/14/20

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

Determination on Appeal

[to be delivered simultaneously to both Complainant and Respondent]

[date]

Dear [party name]:

I have carefully considered the appeal filed by [name of appealing party], challenging the written decision on the complaint of sexual harassment made by [complainant's name] against [respondent's name].

Based on my review of this matter, it is my determination that the decision should be [affirmed – OR- reversed – OR – modified as follows... - OR – this matter should be remanded back to the investigator or decision-maker to take the following actions...]. I reached this determination [for the following reason(s) – brief description of rationale]. Pursuant to District policy, this decision is final and is not subject to further appeal.

Retaliation against any individual who files or otherwise participates in bringing a complaint is strictly prohibited under federal and state law, as well as District policy. Founded acts of retaliation will result in disciplinary action up to and including termination. Any individual who believes they have been retaliated against for participation in this process should report any concerns immediately to

\_\_\_\_\_.

Sincerely,

\_\_\_\_\_  
[Name and Title of Appeal Decision-Maker]

Approved   12/14/20  

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

Informal Resolution

[to be provided to Complainant and Respondent by Title IX Coordinator]

[date]

Re: Informal resolution of complaint involving [complainant’s name] and [respondent’s name]

Dear [party name]:

This letter sets forth information about the District’s informal resolution process. If both parties consent, this process may help you reach a mutually acceptable resolution to the formal complaint.

The formal complaint made by [complainant’s name] alleges that [respondent’s name] [include the allegations in the formal complaint].

To resolve this complaint, the Title IX Coordinator will meet separately with each party to gather information relevant to the complaint and discuss possible ways to resolve the complaint. If the parties agree to a resolution, the Title IX Coordinator will draft a resolution agreement to be reviewed by both parties. Each party may sign the resolution agreement if they voluntarily agree to the terms. Once the agreement is signed by each party, it is final and is not subject to appeal.

Either party may withdraw from informal resolution at any point prior to signing the resolution agreement. The Complainant may then decide whether to proceed with the formal grievance process under District policy (including investigation and determination of responsibility) or to withdraw the formal complaint. Supportive measures may be provided during informal resolution, during a formal grievance, and/or after the formal complaints is resolved, dismissed, or withdraw.

The Title IX Coordinator will retain a copy of the formal complaint and any resolution agreement for a period of seven (7) years following the closure of the complaint. In order to promote honest, direct, communication, information disclosed during informal resolution will remain confidential, except where disclosure may be required by law or authorized in connection with duties on behalf of the District.

If you have any questions, please let me know. Otherwise, if you voluntarily agree to participate in the informal resolution process, please sign below.

Sincerely,

\_\_\_\_\_  
Jean Bahls, Title IX Coordinator

**By signing below, I, [party name], hereby knowingly and voluntarily agree to participate in informal resolution to the complaint identified above.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Approved 12/14/20

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_



Notice of Dismissal

[to be provided simultaneously to Complainant and Respondent upon dismissal of a formal complaint]

[date]

Dear [party name]:

This letter hereby notifies you that the sexual harassment complaint filed on [date] is being dismissed by the District for the following reason [check one]:

- The conduct alleged in the complaint would not constitute sexual harassment as defined in Section II of this policy, even if proved;
- The conduct alleged not occur in the District’s education program or activity; or
- The conduct did not occur in the United States.
- The Complainant notified the Title IX Coordinator in writing that the Complainant wished to withdraw the formal complaint or any allegations;
- The Respondent is no longer enrolled or employed by the District; or
- Specific circumstances exist that prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations. These circumstances are:

\_\_\_\_\_.  
This dismissal may be appealed by submitting a written appeal to [name, title, contact information of designated appeal decision-maker] within five (5) calendar days of the date of this Notice of Dismissal. Appeals are limited to the following grounds:

- A procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time this dismissal was issued that could affect the outcome of the matter; or
- The Title IX Coordinator, Investigator(s), or Decision-Maker had a conflict of interest or bias that affected the outcome of the matter.

Even after dismissal of a formal complaint from the District’s Title IX grievance process, the District may still (1) offer supportive measures to either party and/or (2) investigate and resolve the complaint under any other applicable District policy or process. You will be notified if the District intends to take further action on this complaint.

If you have any questions, please let me know.  
Sincerely,

\_\_\_\_\_  
Jean Bahls, Title IX Coordinator,  
800 N Jackson St, Osceola, IA 50213, 641-342-6505, [jean.bahls@clarke.k12.ia](mailto:jean.bahls@clarke.k12.ia)

Approved 12/14/20

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

Documentation of District Response

[to be completed and maintained by Title IX Coordinator for 7 years for record-keeping purposes]

[date]

**Complaint Information:**

Complainant name:

Respondent name:

Was a formal complaint filed?

If so, on what date?

**District Response:**

Were supportive measures provided to Complainant? If so, list all supportive measures that were provided.

If not, please explain why it was not clearly unreasonable for the District not to provide Complainant with supportive measures.

What other steps were taken in response to the report or formal complaint? E.g., resolved through informal resolution, resolved through formal grievance process (indicate whether founded or unfounded).

What sanctions were issued as a result of the report or formal complaint, if any?

What remedies were issued as a result of the report or formal complaint, if any?

In light of the above, do you believe the District's response was not deliberately indifferent? Briefly explain.

---

Jean Bahls, Title IX Coordinator

Date

Approved 12/14/20

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_