

WORKPLACE BULLYING

The Purpose of this policy is to promote a healthy, positive workplace climate so that every individual is able to contribute fully to our educational community. Every person has the right to dignity at work. The rights and responsibilities described in this policy apply to all employees, parents and all who utilize or visit District facilities.

Bullying is defined as conduct that a reasonable person would find hostile, intimidating, offensive, humiliating or an abuse of authority. It may be verbal, nonverbal, public or private. It is typically behavior repeated across multiple incidents; a single incident is usually not a violation, unless it is a serious incident. It may originate from any employee or from any individual to another. It is also bullying to continue policy violating conduct when the targeted individual requests that it cease.

Illustrative examples of bullying include, but are not limited to:

1. Provocative or dehumanizing name calling
2. Belittling the person
3. Exclusion
4. Physical isolation
5. Rumors (or failing to stop them) and gossip about a person or school's reputation where rumors or gossip contain information that is libelous, defamatory, obscene, or maliciously false or contain statements which are meant to harm a person's reputation or that contribute to a hostile work environment on the basis of age, race, sex, religion, disability, or any other status protected by law.
6. Discounting or humiliating people at meetings.
7. Deliberate exclusion from job-critical decision-making opportunities
8. Preventing the person from self-expression, being yelled at, being threatened, the prohibition of speaking to others
9. Intentional deception about the true purpose of an investigatory or disciplinary meeting
10. Preventing an employee from meeting student's needs
11. Moving or hiding items required for productive work or work interference-sabotage-that prevents work from getting done
12. Minimizing one's occupation or position
13. Use of subtle tactics of deceit, distortion, misrepresentation and misdirection

For an individual to allege a policy violation, to call it bullying according to this policy's standard, the targeted individual must be able to demonstrate that due to the alleged bullying activity that he/she has experienced negative consequences which are affecting their ability to perform his/her job. It is the intent of this policy that such issues are identified early by the targeted individual, a co-worker or colleague, and the issue is resolved at the earliest possible stage. This policy supplements but does not replace the District's Discrimination and Harassment Policy (Board Policy 104).

Bullying must not be confused with the non-abusive exercise of management rights to assign tasks, coach, and reprimand or take disciplinary actions against employees. Any administrator, supervisor or individual in a position of leadership to whom a complaint is reported (verbally or in writing) must take appropriate action according to internal procedures. Failures to comply may result in disciplinary action.

Freedom from retaliation is protected under this policy. Retaliation is a separate offense from the original claim of bullying. Protected individuals include complainants, or anyone who testifies, assists, or participates in any manner in an investigation or proceeding, internal or external, pertaining to the allegation of bullying.

Misuse of the policy is a violation of the policy itself.

Legal Reference: Iowa Code 279.8

20 U.S.C. §§ 1221-1234i (2012)

29 U.S.C § 794 (2012)

42 U.S.C. §§ 2000d-2000d-7 (2012)

42 U.S.C. §§ 12101 2et. Seq. (2012).

Iowa Code §§ 216.9; 280.28; 280.3 (2013).

281 I.A.C. 12.3(6).

Morse v. Frederick, 127 S. Ct. 2618 (2007)

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