

Title: Abuse of Students by District Employees

District employees are not to commit acts of physical or sexual abuse. Any employee who violates this policy will be subject to disciplinary action up to and including discharge.

Physical abuse may occur as the result of non-accidental infliction of injury or excessive, unnecessary or unreasonable use of force. Injury occurs when evidence of it is still apparent at least 24 hours after the incident.

Sexual abuse means any sexual offense as defined by Iowa Code 709 or Iowa Code Section 728.12(1). The term also encompasses acts of the employee that encourage the student to engage in prostitution as defined by Iowa Law, as well as inappropriate, intentional sexual conduct or sexual harassment by the employee towards a student. This definition of sexual abuse is designed to govern that conduct which may or may not subject the employee to criminal prosecution but is inappropriate conduct between an employee and a student. Inappropriate conduct includes: sexual innuendo, sexually derogatory or demeaning language, behaviors with sexual overtones; any conversation designed to induce a student to engage in any sexual activity with the employee; sexual social behaviors such as kissing or dating; sexual harassment or the promise of favorable treatment or grades in return for sexual favors or activities.

District Administrative Regulation 406.1 is a complaint form available for any individual to report a claim of injury to or abuse of a student by an employee. The form is available online or can be requested at a school office. The District will respond promptly to allegations of abuse of students by employees. The District will investigate or arrange for a full investigation of any allegation in a reasonably prudent manner. The processing of a complaint or allegation will be handled confidentially to the extent reasonably possible. All employees having knowledge or relevant information are required to assist in the investigation when requested to provide information. All employees will maintain the confidentiality of the reporting and investigating process.

The District shall appoint and train a level-one investigator and an alternate and shall provide an experienced professional to serve as the level-two investigator as needed. The level-one investigator and the alternate will be provided training in the conducting of an investigation at District expense. The names of the level-one and alternate investigators shall be published annually.

Rules and definitions adopted by the State Board of Education to investigate allegations of student abuse by employees will be followed. The District's procedures shall conform to these rules and shall include provisions for the safety of a student when, in the opinion of the

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investigator, the student would be placed in imminent danger if continued contact is permitted between the school employee and the student. Investigators shall have access to any educational records of the allegedly abused student and access to the student for purposes of interviewing and investigating the allegation.

Cross References:

402, 405, 406.1, 421, 513, 513.1

Legal References:

Iowa Code Section 280.17; 282 Iowa Administrative Code
Chapters 102

Approved: May 1, 1990

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