

Abuse of Students by School District Employees

Physical or sexual abuse of students by school district employees will not be tolerated. “Physical abuse” means nonaccidental physical injury to the student as a result of the actions of an employee. “Sexual abuse” means any sexual offense as defined by Iowa Code Chapter 709 or Iowa Code Section 728.12(1). The term “sexual abuse” also encompasses acts of an employee that encourage a student to engage in prostitution as defined by Iowa law, as well as inappropriate, intentional sexual behavior, or sexual harassment by an employee toward a student. The term “employees” includes not only those who work for pay but also those who are volunteers of the school district under the direction and control of the school district. Employees found in violation of this policy will be subject to disciplinary action up to and including discharge.

The school district will respond promptly to allegations of abuse of students by employees by investigating or arranging for the investigation of an allegation. The processing of a complaint or allegation will be handled confidentially to the maximum extent possible. Employees are required to assist in the investigation when asked to provide information and to maintain the confidentiality of the reporting and investigation process.

The Board of Directors designates the Superintendent’s designee as the primary investigator in cases of alleged physical or sexual abuse of students by employees. The alternate investigator is also a Superintendent’s designee.

The investigator will review any allegation to determine whether or not a case of abuse took place. The investigation will be conducted pursuant to 281 Iowa Administrative Code Chapter 102. A copy of the investigator’s report will be given to the employee’s supervisor. In cases where the investigator determines a student was sexually abused in a physical manner or seriously physically (e.g. broken bones, internal injuries) abused, the investigator will notify local law enforcement authorities, in which case the investigation may be temporarily deferred to those authorities.

All founded cases of physical or sexual abuse shall be reported to the Iowa Board of Educational Examiners as required by Iowa Code Section 272.15, and to any other agency or authority as required by law.

Adopted: June 12, 1989
Revised: May 24, 2010
Reviewed: July 18, 2016

Legal Reference:
Iowa Code Chapter 232.67.70.73.75; 235A;
272A; 280.17; 709; 728.12(1)(1999).
281 I.A.C. 12.3(6), 102; 103.
441 I.A.C. 155; 175.
1980 Op. Att’y Gen. 275.