| **Policy 402.03: Abuse of Students by School District Employees** | **Status:** ADOPTED |
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| **Original Adopted Date:** 01/17/2024 **| Revised Date:** 01/17/2024 **| Reviewed Date:** 01/17/2024 |  |

Physical or sexual abuse of students, including inappropriate and intentional sexual behavior, by employees will not be tolerated.  The definition of employees for the purpose of this policy includes not only those who work for pay but also those who are volunteers of the Tri-County 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 Tri-County school district will respond promptly to allegations of abuse of students by school district 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 requested to provide information and to maintain the confidentiality of the reporting and investigation process.  
  
The Tri-County school district has appointed a Level I investigator and alternate Level I investigator.  The school district has also arranged for a trained, experienced professional to serve as the Level II investigator.  The Level I investigator and alternate will be provided training in the conducting of an investigation at the expense of the school district.  The names of the investigators are listed in the student handbook published annually in the local newspaper and posted in all school facilities.  
  
The superintendent is responsible for drafting administrative regulations to implement this policy.

| Legal Reference: | Iowa Code §§ 232.67, .70, .73, .75; 235A; 272A; 280.17; 709; 728.12(1). 281 I.A.C. 12.3(6), 102; 103. 441 I.A.C. 155; 175. |
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| **I.C. Iowa Code** | **Description** |
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| Iowa Code § 232 | [Juvenile Justice](https://www.legis.iowa.gov/docs/code/232.pdf) |
| Iowa Code § 235A | [Child Abuse](https://www.legis.iowa.gov/docs/code/235a.pdf) |
| Iowa Code § 272A | [Interstate Agreement of Qualification of Ed Personnel](https://www.legis.iowa.gov/docs/code/272a.pdf) |
| Iowa Code § 280.17 | [Uniform School Requirements - Child abuse reporting](https://www.legis.iowa.gov/docs/code/280.17.pdf) |
| Iowa Code § 709 | [Sexual Abuse](https://www.legis.iowa.gov/docs/code/709.pdf) |
| Iowa Code § 728.12 | [Sexual Exploitation of a Minor](https://www.legis.iowa.gov/docs/code/728.12.pdf) |
| **I.A.C. Iowa Administrative Code** | **Description** |
| 281 I.A.C. 102 | [Abuse of Students by School Employees Investigation Procedures](https://www.legis.iowa.gov/docs/iac/chapter/281.102.pdf) |
| 281 I.A.C. 103 | [Corporal Punishment, Physical Restraint, Seclusion](https://www.legis.iowa.gov/docs/iac/chapter/281.103.pdf) |
| 281 I.A.C. 12.3 | [Administration](https://www.legis.iowa.gov/docs/iac/rule/281.12.3.pdf) |
| 441 I.A.C. 155 | [Human Services - Child Abuse Prevention](https://www.legis.iowa.gov/docs/iac/chapter/441.155.pdf) |
| 441 I.A.C. 175 | [Human Services - Abuse of Children](https://www.legis.iowa.gov/docs/iac/chapter/441.175.pdf) |

**Cross References**

| **Code** | **Description** |
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| 104 | [Anti-Bullying/Harassment Policy](https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36031104&revid=ug1fdK0zf0AJ2vNvHoZ04A==) |
| 104-R(1) | [Anti-Bullying/Harassment Policy - Investigation Procedures](https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36031104&revid=8UvlqvgDOTAX5PNgA5d51A==) |
| 104-E(1) | [Anti-Bullying/Harassment Policy - Complaint Form](https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36031104&revid=eslshmwGPhLCUslshTEdzYzjXMPg==) |
| 104-E(2) | [Anti-Bullying/Harassment Policy - Witness Disclosure Form](https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36031104&revid=C4DakFIbOmb20pmNDPzwGw==) |
| 104-E(3) | [Anti-Bullying/Harassment Policy - Disposition of Complaint Form](https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36031104&revid=LtRnZOfVJPfTAfsvobfkaA==) |
| 401.06 | [Limitations to Employment References](https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36031104&revid=Twt87EuGG49Baohysl79zQ==) |
| 402.02 | [Child Abuse Reporting](https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36031104&revid=yBXQerhMJJl52adod6Jm4g==) |
| 503.05 | [Corporal Punishment, Mechanical Restraint and Prone Restraint](https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36031104&revid=C61kplusO2IpTMxzae1OFOv1w==) |
| 503.06 | [Physical Restraint and Seclusion of Students](https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36031104&revid=DR6KpBbhmHTxiaI0Jslsh7P9w==) |
| 503.06-R(1) | [Physical Restraint and Seclusion of Students - Regulation](https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36031104&revid=weZiMr7P7D2NCscVoup3slshQ==) |
| 503.06-E(1) | [Physical Restraint and Seclusion of Students - Documentation Form](https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36031104&revid=ToNype1ATlYGHcjUJ0b5Nw==) |
| 503.06-E(2) | [Physical Restraint and Seclusion of Students - Debriefing Letter to Guardian of student Involved in an Occurrence Where Physical Restraint or Seclusion was Used](https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36031104&revid=1C3Hm0e4HDK4n6w7h0hGgA==) |
| 503.06-E(3) | [Physical Restraint and Seclusion of Students - Debriefing Meeting Document](https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36031104&revid=MTyU8MfIG6J1vqVh6FfCPA==) |