

# Bullying & Harassment in Iowa Schools: Responsibilities & Investigation Process

## Official Definition Language Change

As of July 1, 2025, Iowa's Bullying/Harassment Law, [Iowa Code 280.28](#), was modified with [House File 865](#).

Harassment and bullying are defined as: Any repeated and targeted electronic, written, verbal, or physical act or conduct toward a student that creates an objectively hostile school environment that meets one or more of the following conditions:

- Places the student in reasonable fear of harm to the student's person or property
- Has a substantially detrimental effect on the student's physical or mental health
- Has the effect of substantially interfering with a student's academic performance
- 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

**Additional Considerations:** Bullying and harassment policy must be viewed in conjunction with other relevant laws and policies, including Title VI, Title IX, IDEA, Section 504, Civil Rights, and the [Discipline of Students Who Make Threats of Violence or Cause Incidents of Violence](#).

## Responsibilities of Iowa Schools

- [Iowa Code 280.28.3](#) and [Iowa Administrative Code 281-12.3\(11\)](#) require school districts and accredited nonpublic schools to have policies and procedures against bullying and harassment complaint forms and investigative procedures in place.
- Review your district's policies for process, forms, and investigative procedures. Are they up to date, within the last 5 years and easily accessible to parent(s)/guardian(s)/legal custodians or their representatives?

## Investigation Process

Each district as identified in [Iowa Code 280.28.3](#) is to have:

“a procedure for the prompt investigation of complaints, either identifying the school superintendent or the superintendent's designee as the individual responsible for conducting the investigation, including a statement that investigators will consider the totality of circumstances presented in determining whether conduct objectively constitutes harassment or bullying” as defined by law.

## When a Complaint is Received

- Confirm receipt of the Bullying/Harassment complaint to the person who submitted it.
- Reiterate your district's policy and processes.
- School officials are required to contact the parent/guardian/legal custodian within 24 hours after the school official receives a report that the student may have been the victim of conduct that constitutes bullying or harassment.
- Contact law enforcement if a “dangerous weapon” per [Iowa Code 702.7](#) is or may be involved; however, the investigation required by law must continue.

- Consider developing a safety plan for the complainant, including their parent/guardian/legal custodian. Include the student when developmentally appropriate—[Sample Safety Plan](#). Caution: Ensure that strategies and supports developed for the safety plan will not feel or be perceived as punitive for the alleged target of bullying/harassment.
- Through collaboration with the guardians of the involved student(s), document any changes in scheduling, seating, additional modifications for the alleged perpetrator(s). Follow pertinent laws for students served by special education or students with a 504 or health plan.
- If a designated person (Superintendent or assigned) already has a difficult relationship or conflict of interest, by perception or reality, with a student and/or parent/guardian, consider using someone from outside the building/district as an objective investigator.
- Consider providing parents/guardians with the [Parent Guide Family Educational Rights and Privacy Act \(FERPA\)](#).

## Students with an Individualized Education Plan (IEP), 504 Plan or Health Plan:

- Talk with the student’s special education teacher or advisor, the District’s Director of Special Education, 504 Coordinator, and/or the School Nurse to see if any short- or long-term decisions will affect the student’s IEP, health plan, or 504 plan. If they do, set up a meeting with the appropriate individuals as soon as possible.
- Review pertinent laws and procedures
  - Review the U.S. [Department of Education's Guidance on Bullying and Students with Disabilities \(October 2014\)](#).
  - Review: Guidance on Bullying of Students with Disabilities, U.S. Department of Education’s Office of Civil Rights Dear Colleague Letter, October 2014.
  - Under Section 504 and Title II, schools must address bullying and harassment that are based on a student’s disability and that interfere with or limit a student’s ability to participate in or benefit from the services, activities, or opportunities offered by a school.
  - If any bullying or harassing behavior interferes with the ability of a student with a disability to access educational services, the situation, if uncorrected, may constitute a FAPE violation.
  - If the effects of the bullying adversely affected the student’s ability to receive FAPE, the IEP or 504 team, including the parent, must identify any additional or new special education services or supports the student requires to continue receiving FAPE and adjust the plan accordingly.
  - Contact your School District’s attorney if you need assistance with the law.
- Review [Bullying and Children and Youth with Disabilities and Special Health Needs](#).

## Conducting the Investigation

- **Do not** bring the alleged perpetrator and target together.
- Review other pertinent laws, including Title VI, Title IX, IDEA, 504, and Civil Rights.
- Complete individual interviews with the complainant, alleged target and perpetrator, and any adult and/or student witnesses in-person, if possible, protecting their anonymity/confidentiality. ([Sample Witness Disclosure Form](#))
- Remind all involved (students, parents/guardians/legal custodians, school staff) of your policy against reprisal, retaliation, or false accusation against a complainant, witness, or an individual who has reliable information about such an act of harassment or bullying.
- Consider the context of the interaction and identify if there have been prior incidents between those involved meeting the requirement for “repeated and targeted”.
- Talk with any staff that may have knowledge of current or former issues between the individuals involved in the incident.
- If the reported incident happened in a school location where you have cameras, review the recording remembering that one view may not show the full interaction.

- Review other documentation that may inform the investigation, such as attendance, prior incidents, disciplinary actions, as well as provided emails, texts, social networking sites, voice mail, and/or other evidence. Maintain confidentiality and privacy.
- Review other pertinent laws, including Title VI, Title IX, IDEA, 504, and Civil Rights.
- If there are competing eyewitness or participant accounts, carefully consider whether one or more of the eyewitnesses or participants is more credible in light of all of the evidence gathered. **It is impermissible to find no bullying and harassment merely because the accounts differ or there were competing versions of events, unless all eyewitnesses or participants are equally credible.** ([Sample Witness Disclosure Form](#))
- Remember, incidents of bullying/harassment are a school incident if they occur during a school-sponsored activity.
- Incidents of bullying/harassment, including cyberbullying, taking place outside of the school environment are considered a school incident if they result in an impact to alleged target matching any of the four parts of the definition.
- Remember, the standard of proof is “preponderance of the evidence.” **A bullying and harassment report is founded if it is more likely than not that bullying and harassment occurred.** Use of a higher or lower standard violates the law.

## Communication during the investigation

- When possible, schools are encouraged to sit down in person with the parent(s)/guardian(s)/legal custodian of each student who may have been involved in the incident.
- Investigations can take some time. Schools are encouraged to have the administration and/or the school counselor stay in direct communication with the student(s), parent(s)/guardian(s)/legal custodian to let them know the investigation is in process and an approximate timeframe for a decision.
- If used, review/refine the safety plan ([Sample Safety Plan](#)) as necessary for students involved.

## Decision on the complaint

- Schools are encouraged to use a disposition of complaint form ([Sample Disposition of Complaint Form](#)) that is returned to the complainant and, as appropriate, to other individuals involved.
- Maintain appropriate confidentiality and privacy of all information regarding the complaint.
- Retain documentation on complaint, investigation, and distribution of complaint in a safe and secure location even if unfounded. This documentation may become important with the change in law in July 2025 that requires bullying/harassment to be repeated.
- Consider whether a revised safety plan is needed even if the complaint is unfounded.
- Remind all involved (students, parents/guardians/legal custodians, school staff) of your policy against reprisal, retaliation, or false accusation against a complainant, witness, or an individual who has reliable information about such an act of harassment or bullying.
- Consider how to mend relationships, whether the complaint is founded or unfounded.

## Following the Investigation

- If the incident is founded, parents, guardians or legal custodians can request an Intra-district Transfer under [Iowa Code 281-17.12](#). This allows a student to enroll in a different school within the same district that has classes for their grade level. For specific details, review the [Intra-district Transfer Request Form](#). These policies follow the federal [Family Educational Rights and Privacy Act \(FERPA\)](#).
- [Iowa Code 280.28.3](#), [House File 604](#) and/or [Iowa Code 279.65A](#) require school districts to have in their policy:

- A description of the type of behavior expected from school employees, volunteers, parents/guardians/legal custodians, and students relative to prevention measures, reporting, and investigation of harassment or bullying.
- The consequences and appropriate remedial action for a person who violates the district's antiharassment and antibullying policy.
- If, after an investigation, a student is found to be in violation of the policy, follow the district policy for consequences. The student shall be disciplined by appropriate measures, which may include suspension and/or expulsion. Also consider what skill(s) the student may need and identify appropriate interventions.
- If the student has an IEP, a 504 plan, and/or a health plan, contact appropriate staff to determine if refinements are needed.
- If, after an investigation, a school employee is found to be in violation of the policy, the employee shall be disciplined by appropriate measures, which may include termination.
- If, after an investigation, a 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/guardian who promptly, reasonably, and in good faith reports an incident of bullying or harassment, in compliance with the procedures in the policy adopted by the District, 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.
- If bullying/harassment is founded, report the incident in the State of Iowa bullying and harassment database.

Visit the Iowa Department of Education's [bullying and harassment webpage](#) for resources to share with parents, families or legal custodians, along with additional materials for schools.