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| Bartlett City Board of Education | | 6002 |
| Descriptor Term: STUDENT DISCRIMINATION, HARASSMENT, BULLYING, AND CYBER-BULLYING AND INTIMIDATION | Descriptor Code: Student Services | Issue Date: 06/23/2014 |
| | Rescinds: | Revised: 05/24/2018; 07/23/2020 |

1 The Bartlett City Board of Education has determined that a safe, civil, and supportive
2 environment in school is necessary for students to learn and achieve high academic standards.
3 In order to maintain that environment, acts of bullying, cyber-bullying, discrimination, harassment,
4 hazing or any other victimization of students, based on any actual or perceived traits or
5 characteristics, are prohibited.¹

6 This policy shall cover behaviors of students and employees while on school property, at any
7 school-sponsored activity, engaged in any online or virtual learning activity, on school-provided
8 equipment or transportation, or at any official school bus stop. If the act takes place off school
9 property or outside of a school-sponsored activity, this policy is in effect if the conduct is directed
10 specifically at a student or students and has the effect of creating a hostile educational
11 environment or otherwise creating a substantial disruption to the education environment or
12 learning process.

13 **DEFINITIONS**

14 *Bullying/Intimidation/Harassment* - An act that substantially interferes with a student's educational
15 benefits, opportunities, or performance, and the act has the effect of:

- 16 1. Physically harming a student or damaging a student's property;
- 17 2. Knowingly placing a student or students in reasonable fear of physical harm to the
18 student or damage to the student's property;
- 19 3. Causing emotional distress to a student or students; or
- 20 4. Creating a hostile educational environment.

21 Bullying, intimidation, or harassment may also be unwelcome conduct based on a protected class
22 (race, nationality, origin, color, gender, age, disability, religion) that is severe, pervasive, or
23 persistent and creates a hostile environment.

24 Bullying may be further described as unwanted aggressive behavior(s) by another student who is
25 not a sibling or current dating partner that involves an observed or perceived power imbalance and
26 is ongoing or highly likely to be repeated.²

27 *Cyber-bullying* - A form of bullying undertaken through the use of electronic devices.
28 Electronic devices include, but are not limited to, telephones, cellular phones or other wireless
29 telecommunication devices, computers, text messaging, emails, social networking sites, instant
30 messaging, videos, and websites.

¹ T.C.A. §49-6-4504

² *Bullying Surveillance Among Youths: Uniform Definitions for Public Health and Recommended Data Elements, Version 1.0.* Atlanta, GA; National Center for Injury Prevention and Control, Centers for Disease Control and Prevention and U.S. Department of Education; 2014.

1 *Hazing* - An intentional or reckless act by a student or group of students that is directed
2 against any other student(s) that endangers the mental or physical health or safety of the
3 student(s) or that induces or coerces a student to endanger his/her mental or physical health
4 or safety. Coaches and other employees of the school district shall not encourage, permit,
5 condone or tolerate hazing activities.³ “Hazing” does not include customary athletic events or
6 similar contest or competitions and is limited to those actions taken and situations created in
7 connection with initiation into or affiliation with any organization.

8 REPORTING COMPLAINTS

9 Alleged victims of the above-referenced offenses or any student who has witnessed an act of
10 harassment, intimidation, bullying, or cyberbullying shall report these incidents immediately to a
11 teacher, school counselor, or school building administrator.⁴ Any BCS employee who witnesses
12 an act of harassment, intimidation, bullying, or cyberbullying shall report the conduct to the
13 Principal. All other members of the school community, including students, parents, volunteers,
14 and visitors, are encouraged to report any act that may be a violation of this policy to a school
15 teacher, school counselor, or building administrator. All such reports shall be immediately reported
16 to the Principal.

17 Reports of harassment, intimidation, bullying, or cyberbullying may be made anonymously to any
18 teacher, school counselor, school administrator, or member of Student Services. All such reports
19 shall be immediately communicated to the Principal. Formal disciplinary action may not be taken
20 against a student based solely upon an anonymous report.

21 INVESTIGATING COMPLAINTS

22 The Principal or Assistant Principal at each school shall be responsible for investigating and
23 resolving complaints of harassment, intimidation, bullying, or cyberbullying. The Principal or
24 Assistant Principal shall commence the investigation within forty-eight (48) hours of receipt of the
25 report, unless the need for more time is appropriately documented. All investigations shall be
26 completed and appropriate intervention taken within twenty (20) calendar days from the receipt
27 of the initial report, unless the need for more time is appropriately documented. Within forty-eight
28 (48) hours of the findings being complete, the Principal or Assistant Principal shall inform the
29 parent/guardian of the student(s) involved in any act of harassment, intimidation, bullying, or
30 cyberbullying of the investigation findings and whether corrective action was taken.

31 Upon the determination of a violation of this Policy, the Principal or Assistant Principal shall
32 immediately inform the parent/guardian of the student’s involvement in an act of harassment,
33 intimidation, bullying, or cyberbullying. The Principal or Assistant Principal shall inform the
34 parent/guardian of the availability of counseling and support services by school counselors if
35 necessary.

36 Following any investigation, the Principal or Assistant Principal shall report the findings of the
37 investigation along with disciplinary action taken to the Superintendent and Board Chairman.

³ T.C.A. §49-2-120

⁴ T.C.A. §49-6-4505(b)

1 RETALIATION AND FALSE ACCUSATIONS

2 Retaliation against any person who reports or assists in any investigation of an act alleged
3 in this policy is prohibited. An employee found to have engaged in retaliation shall be
4 subject to disciplinary action up to and including termination. A student found to have
5 engaged in retaliation shall be disciplined in accordance with Bartlett City Schools
6 discipline policies and procedures.

7 Falsely accusing another person of having committed an act prohibited under this Policy as a
8 means of harassment, intimidation, bullying, or cyberbullying is prohibited and is itself a violation
9 of this Policy. The consequences and appropriate remedial action for a person found to have
10 knowingly falsely accused another may range from positive behavioral interventions up to and
11 including suspension and expulsion. The consequences for an employee found to have knowingly
12 falsely accused another include employee discipline up to and including termination.

13
14 CONSEQUENCES

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16 School administrators shall consider the nature and circumstances of the incident, the age of
17 the violator, the degree of harm, previous incidences or patterns of behavior, or any other
18 factors, as appropriate to properly respond to each situation.

19 A substantiated charge against an employee shall result in disciplinary action up to and including
20 termination. A substantiated charge against a student may result in corrective or disciplinary
21 action consistent with Bartlett City Schools discipline policies and procedures.

22 An employee disciplined for violation of this Policy may appeal the decision by contacting the
23 Federal Rights Coordinator or the Superintendent. Any student disciplined for violation of this
24 policy may appeal the decision in accordance with Bartlett City Schools disciplinary policies and
25 procedures.

26 NOTIFICATION AND TRAINING

27 This policy shall be disseminated annually to all school staff, students, and parents via employee
28 and student handbooks and the BCS website. The Federal Rights Coordinator shall be
29 responsible for ensuring that all school staff, students, parents are notified of this Policy. Further,
30 the Federal Rights Coordinator shall be responsible for ensuring the education of students and
31 parents and the training of school staff as to the definition, prevention, intervention, and
32 recognition of harassment, intimidation, bullying, and cyber-bullying.

33 At the beginning of each school year, the Federal Rights Coordinator shall make available to
34 students and parents information relative to bullying prevention programs. Additionally, the
35 Federal Rights Coordinator shall provide teachers and counselors a copy of this Policy along with
36 information on its implementation, bullying prevention, and strategies to address bullying and
37 harassment when it happens.