

Board Approved 5/18/00 Board Revised 3/16/06 Board Revised 5/20/10	ROANE COUNTY BOARD OF EDUCATION	
	Student Discrimination/ Harassment and Bullying/ Intimidation	Policy # 3.13
		Date Passed May 20, 2010

3.13 - STUDENT DISCRIMINATION/HARASSMENT AND BULLYING/INTIMIDATION

Students shall be provided a learning environment free from sexual, racial, ethnic and religious discrimination/harassment.¹ It shall be a violation of this policy for any employee or any student to discriminate against or harass a student through disparaging conduct or communication that is sexual, racial, ethnic or religious in nature. The following guidelines are set forth to protect students from discrimination/harassment.

Student discrimination/harassment will not be tolerated.² Discrimination/harassment is defined as conduct, verbal or physical advances, gestures or words either written or spoken of a sexual, racial, ethnic, intimidating or religious nature which:

1. Unreasonably interfere with the student's work or educational opportunities;
2. Create an intimidating, hostile or offensive learning environment;
3. Imply that submission to such conduct is made an explicit or implicit term of receiving grades or credit; or
4. Imply that submission to or rejection of such conduct will be used as a basis for determining the student's grades and/or participation in a student activity.

Bullying/Intimidation

Bullying is characterized as a continuous pattern of intentional behavior that includes, but is not limited to verbal, written, electronic, or physical acts that are reasonably perceived as being harmful to the victim.

Bullying may place a student in reasonable fear of harm to his person or damage to his property. It may have the effect of substantially interfering with the educational performance, opportunities, or benefits of a student. Bullying may have the effect of substantially disrupting or interfering with the orderly operation of the school or may create a hostile environment. Bullying may have the effect of being sufficiently severe, persistent, or pervasive enough to create an intimidating, threatening, or abusive educational environment.³

It is not generally a single act of uncivil or impolite behavior, but rather continuous over a period of time.

Alleged victims of sexual, racial, ethnic or religious discrimination/harassment shall report such incident(s) immediately to a teacher, counselor, or building administrator.⁴ Students are encouraged to report any instance of bullying, harassment or intimidation to school officials as soon as it occurs. School employees are required to report any instance of suspected or substantiated incidents of bullying to the administration of the school.

Reports may be filed verbally, but a written report will be required in order to conduct a full investigation. A Report Form will be available at each school. The Report may be made by a student, parent, or employee.

Reports of bullying, intimidation//harassment will be investigated by the school administration. If the Report is confirmed, consequences ranging from parent conference to suspension may be imposed.

48 In extreme cases, expulsion may be considered. Law enforcement will be contacted if deemed
49 appropriate. Allegations of discrimination/harassment shall be fully investigated by the Title IX
50 Coordinator.

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52 The privacy and anonymity of all parties and witnesses to complaints will be respected. However,
53 because an individual's need for confidentiality must be balanced with obligations to cooperate with
54 police investigations or legal proceedings, to provide due process to the accused, to conduct a
55 thorough investigation or take necessary action to resolve a complaint, the identity of parties and
56 witnesses may be disclosed in appropriate circumstances to individuals with a need to know.

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58 A substantiated charge against an employee shall result in disciplinary action up to and including
59 termination. A substantiated charge against a student may result in corrective or disciplinary action up
60 to and including suspension/expulsion.

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62 Reprisal or retaliation against any person who reports harassment or participates in an investigation is
63 prohibited. However, any employee who refuses to cooperate or gives false information during the
64 course of any investigation may be subject to disciplinary action. The willful filing of a false report will
65 itself be considered harassment and will be treated as such.

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67 An employee disciplined for violation of this policy may appeal the decision by contacting the Title IX
68 Coordinator for Roane County. Any student disciplined for violation of this policy may appeal the
69 decision in accordance with disciplinary policies and procedures.

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71 Instigation/promotion/encouragement of harassment will be considered as severe as the act of
72 harassment itself. No student should become a part of harassment by encouraging another student to
73 commit an act(s) of harassment.

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75 Efforts will be made by school authorities to eliminate all acts of bullying/intimidation/harassment
76 through supervision, instruction, and enforcement of school rules.

Legal References:

¹ TCA 49-6-3109

² Title VII; 29 CFR §1604.11;

Davis v. Monroe County Board of Education, No. 97-843

(U.S. Sup. Ct. May 24, 1999)

³ TCA 49-6-1014-1019

⁴ Title IX (20 U.S.C. §§ 1681-1686)

Cross References:

3.21 Use of Personal Communication Devices

3.70 Cyber Bullying