

Weakley County Board of Education



Monitoring:

Descriptor Term:

Student Discrimination/Harassment and Bullying/Intimidation

Descriptor Code:

6.304

Issued Date:

10/06/2016

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2 DISCRIMINATION/HARASSMENT (Sexual, Racial, Ethnic, Religious)

3

4 Students shall be provided a learning environment free from sexual, racial, ethnic and religious
5 discrimination/harassment.¹ Understanding and acceptance of our diverse backgrounds may only
6 be achieved through diligent efforts of the entire community (educators, students, and parents)
7 working together. It shall be a violation of this policy for any employee or any student to
8 discriminate against or harass a student through disparaging conduct or communication that is
9 sexual, racial, ethnic or religious in nature. The following guidelines are set forth to protect
10 students from discrimination/harassment.

11

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

15

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

22

23 BULLYING/INTIMIDATION

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25 Students shall be provided a safe learning environment. It shall be a violation of this policy for
26 any student to bully, intimidate or create a hostile educational environment for another student.
27 Bullying and intimidation are defined as either physically harming a student or damaging his/her
28 property, or knowingly placing the student in reasonable fear of such or creating a hostile
29 educational environment. The policy addresses conduct taking place on school grounds, at any
30 school-sponsored activity, on school-provided transportation, or at any official school bus stop
31 immediately before boarding and immediately following deboarding.³ A substantiated charge
32 against a student may result in corrective or disciplinary action which may include suspension or,
33 ultimately, expulsion.

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35 Alleged victims of the above-referenced offenses shall report these incidents immediately to a

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

6.304 Student Discrimination

1 teacher, counselor or building administrator.⁴ Any allegations shall be fully investigated by a
2 complaint manager (as set forth in *Student Complaints and Grievances* 6.305).

3
4 The privacy and anonymity of all parties and witnesses to complaints will be respected.
5 However, because an individual's need for confidentiality must be balanced with obligations to
6 cooperate with police investigations or legal proceedings, to provide due process to the accused,
7 to conduct a thorough investigation or to take necessary action to resolve a complaint, the
8 identity of parties and witnesses may be disclosed in appropriate circumstances to individuals
9 with a need to know.

10
11 A substantiated charge against an employee shall result in disciplinary action up to and including
12 termination. A substantiated charge against a student may result in corrective or disciplinary
13 action up to and including suspension.

14
15 There will be no retaliation against any person who reports harassment or participates in an
16 investigation. However, any employee who refuses to cooperate or gives false information
17 during any investigation may be subject to disciplinary action. The willful filing of a false report
18 will itself be considered harassment and will be treated as such.

19
20 An employee disciplined for violation of this policy may appeal the decision by contacting the
21 Director of Schools or his/her designee. Any student disciplined for violation of this policy may
22 appeal the decision in accordance with disciplinary policies and procedures.

23
24 This policy shall be published in the parent/student handbook distributed annually to every
25 student. This and all other school system policies will be made available in other languages as
26 necessary. Building administrators are responsible for educating and training their respective
27 staff and students as to the definition and recognition of discrimination/harassment.

Legal Reference:

⁴ Title IX (20 USC 1681-1686)

Cross References:

1.404 Appeals to the Board
5.610 Staff-Student Relations