Hickman County Board of Education

	Descriptor Term: **Discrimination / Harassment of Employees (Sexual, Racial, Ethnic, Religious)**	Descriptor Code: **5.500**	Issued Date: **05/05/25**
		Rescinds: **5.500**	Issued: **03/06/23**

Employees shall be provided a work environment free from sexual, racial, ethnic and religious discrimination/ harassment (including the definition of antisemitism found in policy 4.100). It shall be a violation of this policy for any employee or any student to discriminate against or harass an employee through disparaging conduct or communication that is sexual, racial, ethnic or religious in nature. The following guidelines are set forth to protect employees from discrimination/ harassment.

Employee discrimination/harassment will not be tolerated.[1] Discrimination/harassment is defined as conduct, advances, gestures or words either written or spoken of a sexual, racial, ethnic or religious nature which:

1. Unreasonably interfere with the individual's work or performance; or
2. Create an intimidating, hostile or offensive work environment; or
3. Imply that submission to such conduct is made an explicit or implicit term of employment;
4. Imply that submission to or rejection of such conduct will be used as a basis for an employment decision affecting the harassed employee.

Alleged victims of sexual, racial, ethnic and religious discrimination/harassment shall report these incidents immediately.[2] This report should be made to the immediate supervisor except when the immediate supervisor is the offending party. If the immediate supervisor is the offending party, the report may be made to the Federal Rights Coordinator or the director of schools. Allegations of discrimination/harassment shall be fully investigated (as set forth in Complaints and Grievances 5.500). An oral complaint may be submitted; however, such complaint must be reduced to writing to ensure a more complete investigation. The complaint should include the following information:

1. Identity of the alleged victim and person accused;
2. Location, date, time and circumstances surrounding the alleged incident;
3. Description of what happened;
4. Identity of witnesses; and
5. Any other evidence available.

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

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

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

An employee disciplined for violation of this policy may appeal the decision by contacting the Federal Rights Coordinator or the director of schools.

Legal References

1. 29 CFR §1604.11; TCA 5-23-104; ; Public Acts of 2025, Chapter No. 293
2. 20 USCA § 1681

Cross References

Appeals To and Appearances Before the Board 1.404
Equal Opportunity Employment 5.104
Complaints and Grievances 5.501
Title IX & Sexual Harassment 6.3041