Hickman County Board of Education

	Descriptor Term:	Descriptor Code:	Issued Date:
	Student Discrimination/Harassment and Bullying/Intimidation and Cyberbullying	**6.304**	**04/03/23**
		Rescinds: **6.304**	Issued: **02/01/21**

The Hickman County Board of Education has determined that a safe, civil, and supportive environment in school is necessary for students to learn and achieve high academic standards. In order to maintain that environment, acts of bullying, cyber-bullying, discrimination (including the definition of antisemitism found in policy 4.100) , harassment, hazing or any other victimization of students, based on any actual or perceived traits or characteristics, are prohibited.[1]

This policy shall be disseminated annually to all school staff, students, and parents.[2] This policy shall cover employees, employees' behaviors, students and students' behaviors while on school property, at any school-sponsored activity, on school-provided equipment or transportation, or at any official school bus stop. If the act takes place off school property or outside of a school-sponsored activity, this policy is in effect if the conduct is directed specifically at a student or students and has the effect of creating a hostile educational environment or otherwise creating a substantial disruption to the education environment or learning process.

Building administrators are responsible for educating and training their respective staff and students as to the definition and recognition of violations of this policy.[3]

DEFINITIONS[4]

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

- Physically harming a student or damaging a student's property;
- Knowingly placing a student or students in reasonable fear of physical harm to the student or damage to the student's property;
- Causing emotional distress to a student or students; or
- Creating a hostile educational environment.

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

Cyber-bullying - A form of bullying undertaken through the use of electronic devices. Electronic devices include, but are not limited to, telephones, cellular phones or other wireless telecommunication devices, text messaging, emails, social networking sites, instant messaging, videos, web sites or fake profiles.

Hazing - An intentional or reckless act by a student or group of students that is directed against any other student(s) that endangers the mental or physical health or safety of the student(s) or that induces or

coerces a student to endanger his/her mental or physical health or safety. Coaches and other employees of the school district shall not encourage, permit, condone or tolerate hazing activities.

"Hazing" does not include customary athletic events or similar contest or competitions and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization.[5]

COMPLAINTS AND INVESTIGATIONS

Any individual who has knowledge of behaviors that may constitute a violation of this policy shall promptly report such information to the principal/designee.[6]

Alleged victims of the above-referenced offenses shall report these incidents immediately to a teacher, counselor or building administrator.[3] All school employees are required to report alleged violations of this policy to the principal/designee. All other members of the school community, including students, parents, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy.

While reports may be made anonymously, 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 actions to resolve a complaint, and the identity of parties and witnesses may be disclosed in appropriate circumstances to individuals with a need to know.

The principal/designee at each school shall be responsible for investigating and resolving complaints. Once a complaint is received, the principal/designee shall initiate and investigation within forty-eight (48) hours of receipt of the report.[4] If a report is not initiated within forty-eight (48) hours, the principal/designee shall provide the director of schools with appropriate documentation detailing the reasons why the investigation was not initiated within the required timeframe.[7]

The principal/designee shall notify the parent/legal guardian when a student is involved in an act of discrimination, harassment, intimidation, bullying, or cyber-bullying. The principal/designee shall provide information on district counseling and support services. Students involved in an act of discrimination, harassment, intimidation, bullying, or cyber-bullying shall be referred to the appropriate school counselor by the principal/designee when deemed necessary.[8]

The principal/designee is responsible for determining whether an alleged act constitutes a violation of this policy, and such act shall be held to violate this policy when it meets one of the following conditions:

- It places the student in reasonable fear or harm for the student's person or property;
- It has a substantially detrimental effect on the student's physical or mental health;
- It has the effect of substantially interfering with the student's academic performance; or
- It 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.

Upon the determination of a violation, the principal/designee shall conduct a prompt, thorough, and complete investigation of each alleged incident. All investigations shall be completed and appropriate intervention taken within twenty (20) calendar days from the receipt of the initial report.[7] If the investigation is not complete or intervention has not taken place within twenty (20) calendar days, the

principal/designee shall provide the director of schools with appropriate documentation detailing the reasons why the investigation has not been completed or the appropriate intervention has not taken place.[7]

RESPONSE AND PREVENTION[10]

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

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.

An employee disciplined for violation of this policy may appeal the decision by contacting the Federal Rights Coordinator or Director of Schools. Any student disciplined for violation of this policy may appeal the decision in accordance with disciplinary policies and procedures.

REPORTS

When a complaint is filed alleging a violation of this policy where there is physical harm or the threat of physical harm to a student or a student's property, the principal/designee of each middle school, junior high school, or high school shall report the findings and any disciplinary actions taken to the director of schools and the chair of the board of education.[11]

By July 1 of each year, the director of schools/designee shall prepare a report of all of the bullying cases brought to the attention of school officials during the prior academic year. The report shall also indicate how the cases were resolved and/or the reasons they are still pending. This report shall be presented to the board of education at its regular July meeting, and it shall be submitted to the state department of education by August 1.[12]

The director of schools shall develop forms and procedures to ensure compliance with the requirements of this policy and TCA 49-6-1016.

RETALIATION AND FALSE ACCUSATIONS

Retaliation against any person who reports or assists in any investigation of an act alleged in this policy is prohibited. The consequences and appropriate remedial action for a person who engages in retaliation shall be determined by the administrator after consideration of the nature, severity, and circumstances of the act.[13]

False accusations accusing another person of having committed an act prohibited under this policy are prohibited. The consequences and appropriate remedial action for a person found to have falsely accused another may range from positive behavioral interventions up to and including suspension and expulsion.[14]

Legal References

1. TCA 49-6-4503(a), (b)(3); 20 USCA §§ 1681 to 1686; Public Acts of 2025, Chapter No. 293
2. TCA 49-6-4503(b)(11)
3. TCA 49-6-4503(b)(12)
4. TCA 49-6-4503(b)(2), (13)
5. TCA 49-2-120
6. TCA 49-6-4503(b)(5)
7. TCA 49-6-4503(b)(6)
8. TCA 49-6-4503(b)(14)
9. 20 USCA § 1232g
10. TCA 49-6-4503(b)(4), (7)-(8)
11. TCA 49-6-4503(d)(3)
12. TCA 49-6-4503(c)(2)(B)
13. TCA 49-6-4503(b)(9)
14. TCA 49-6-4503(b)(10)

Cross References

Appeals to and Appearances Before the Board 1.404
Section 504 and ADA Grievance Procedures 1.802
Staff-Student Relations 5.610
Student Goals 6.100
Title IX & Sexual Harassment 6.3041
Code of Conduct 6.300
Student Concerns 6.305
Reporting Child Abuse 6.409
Emergency Contact Information 6.410
Student Suicide Prevention 6.415

Hickman County School System

Student Discrimination/Harassment, and Bullying/Intimidation	6.304AP

Purpose:

The purpose of the procedure on bullying is to promote consistency of approach and to create a climate in which all types of bullying are regarded as unacceptable. Attitudes and practices can contribute to bullying, to lower levels of confidence, self-esteem and lack of achievement.

Goals:

The Hickman County Board of Education has determined that a safe, civil, and supportive environment in school is necessary for students to learn and achieve high academic standards. The anti-bullying program with Hickman County Schools seeks to accomplish the following goals:

- To promote a secure and happy environment free from threat, harassment and any type of bullying behavior.
- To take positive action to prevent bullying from occurring.
- To inform parents and students of the school's expectations and to foster a productive partnership which helps to maintain a bully-free environment.
- To make staff aware of their role in fostering the knowledge and attitudes which will be required to achieve the above items.

Definition of Bullying Bullying/Intimidation/Harassment

- An act that substantially interferes with a student's educational benefits, opportunities, or performance, and the act has the effect of:
- Physically harming a student or damaging a student's property;
- Knowingly placing a student or students in reasonable fear of physical harm to the student or damage to the student's property;
- Causing emotional distress to a student or students; or
- Creating a hostile educational environment.

Bullying, intimidation, or harassment may also be unwelcome conduct based on a protected class (race, national, origin, color, gender, age, disability, religion) that is severe, pervasive, or persistent and creates a hostile environment. For further clarification, see Policy 6.304.

Crucial Factors to Combat Bullying

1. Awareness and involvement on the part of adults, with regards to bully-victim problems.
2. Survey of bully/victim problems to determine the scope of the problem in each school.
3. School assemblies regarding bully/victim problems.
4. Appropriate supervision during recess, lunch time and changing of classes by adult staff.

5. Consistent and immediate consequences for aggressive behavior.
6. Implementation of SWPBS (School Wide Positive Behavior Supports) for each school.
7. Specific class rules against bullying.
8. Unit of studying on bullying completed through the guidance departments.
9. Serious individual talks with bullies and with victims.Serious talks with parents of bullies and victims.
10. Involving the school leadership team to discuss ways to include in SIP.
11. A curriculum which promotes communication, friendship and assertive skills such as the bucket filler method.
12. Improved communication among administrators, teachers, parents and staff.
13. Listening respectfully to bullying concerns raised by student, parents and staff.
14. Avoidance of sex-role stereotyping. (e.g. males need to be strong and tough).
15. Avoidance of competitiveness for academic and social/emotional activities.
16. Use of classmates to help alleviate the plight of victims and include them in group activities.

The above measures are considered part of an effective school- wide anti-bullying program, per research on this topic.

Staff Responsibilities

1. To implement procedures to confront bullying in any form.
2. To listen to all parties involved in incidents.
3. To investigate and document as fully as possible.
4. To take appropriate action, or to refer the matter to a member of the administration.
5. To record and inform parents of bullying incidents.
6. To promote the use of a range of teaching and learning styles and strategies which challenge bullying behavior.
7. To promote open management styles which facilitate communication and consultation throughout the school setting.
8. To foster by example the values the school believes in.
9. To promote the use of interventions which are the least intrusive and most effective.
10. To hold regular discussions on this issue with administration, staff, students and parents.
11. To support victims of bullying by means of individual and peer counseling.
12. To initiate efforts to change the behavior of the bullies through class discussions, counseling, reinforcement and sanctions where appropriate