



## **HARASSMENT, INTIMIDATION, BULLYING OR CYBERBULLYING**

Student harassment, intimidation, bullying or cyberbullying will not be tolerated. Conduct aimed at defining a student in a sexual manner and conduct impugning the character of a student based on allegations of sexual promiscuity will also not be tolerated.

I. Tennessee law defines “harassment, intimidation, bullying or cyberbullying<sup>1</sup>” as acts that substantially interfere with a student's educational benefits, educational opportunities, or educational performance, and:

A. If the act takes place on school grounds, at any school-sponsored activity, on school-provided equipment or transportation, or at any official school bus stop, the act has the effect of:

1. Physically harming a student or damaging a student's property;
2. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property; or
3. Creating a hostile educational environment.

B. If the act takes place off school property or outside of a school-sponsored activity, it 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 educational environment or learning process.

<sup>1</sup>Cyberbullying means bullying undertaken through the use of electronic devices. “Electronic devices” includes, but are not limited to, telephones, cellular phones or other wireless telecommunication devices, personal digital assistants, computers, electronic mail, instant messaging, text messaging and websites.

II. Alleged victims of harassment, intimidation, bullying, or their parents or guardians shall report these incidents immediately to the Principal or building level administrator. Any reports made to staff should be forwarded to the Principal or building level administrator immediately “but no later than 24 hours” of the expressed



concern. Anonymous reports may be made, however, disciplinary action may not be based solely on an anonymous report.

The Shelby County Board of Education has adopted the “Safe School Tips” program which allows any parent, student, teacher, or employee to report information about illegal or inappropriate activities, including but not limited to bullying, theft, distribution or sale of drugs, possession of weapons, etc.

“**Safe-School Web-Tips**” should be sent to <http://www.tipsubmit.com> or text to 274637, you will then be asked to type in a “code”, the code is SCS, then start typing the text message.

Any complaints of harassment, intimidation or bullying should include the following information:

Identity of the alleged victim and the person accused;

Location, date, time and circumstances surrounding alleged incident;

Description of what happened;

Identity of witnesses; and

Any other evidence available.

- III. If the complainant is not the parent or guardian, the parents/guardians of alleged victim shall be notified of the reported conduct by phone or in person prior to the end of the school day upon which the conduct was reported. The Principal or his/her designee shall promptly and fully investigate allegations of harassment, intimidation, bullying cyberbullying. The Principal or building level administrator will revisit substantiated incidents and all follow-up efforts conducted will be appropriately documented.
- IV. After a complete investigation, if the allegations are substantiated, immediate and appropriate corrective or disciplinary action shall be initiated pursuant to the Shelby County Board of Education's Discipline Policy if the offender is a student. A substantiated charge against an employee may subject such employee to disciplinary action up to and including termination. The Principal



or his/her designee will meet with and advise the complainant and their parent/guardian regarding the findings, and whether corrective measures, and/or disciplinary actions were taken. The investigation and response to the complainant will be completed within twenty (20) school days.

- V. If the complainant is not in agreement with the Principal's or his/her designee's the complainant may, within five (5) school days, contact the Shelby County Schools' Federal Rights Coordinator (FRC) at 160 South Hollywood, Memphis, Tennessee 38112; Telephone (901) 321-2575. Within five (5) school days the "FRC" or his/her designee will review the investigation of the alleged charges. Upon completion of the review, the "FRC" will meet with and advise the complainant regarding the findings, and whether corrective measures, and/or disciplinary actions were taken.
- VI. If the complainant is not in agreement with the findings of the "FRC", an appeal may be made, within five (5) school days, to the Superintendent. Within five (5) school days, the Superintendent will review the investigation and provide a written advise to the complainant whether corrective measures and/or disciplinary actions were taken.
- VII. There will be no retaliation against any person who reports harassment, intimidation bullying or cyberbullying or participates in an investigation. However, any employee who gives false information during the course of any investigation or who retaliates against someone for: (a) truthfully reporting harassment, intimidation bullying or cyberbullying or (b) participating in an investigation of allegations of harassment, intimidation bullying or cyberbullying may be subject to disciplinary action up to and including termination if the offender is an employee and pursuant to the Shelby County Board of Education's Disciplinary Policy if the offender is a student.
- VIII. An employee disciplined pursuant to this policy may appeal the decision by contacting the Federal Rights Coordinator at 160 South Hollywood, Memphis Tennessee 38112; Telephone (901) 321-2539. Any student disciplined pursuant to this policy may appeal the decision in accordance with Shelby County Board of Education's disciplinary policies and procedures.
- IX. This policy shall appear in the Parent/Student Handbook distributed annually to every student. Principals or building level administrators are responsible for ongoing education, formal and informal, regarding this policy and procedure in the building in which they work. The Shelby County Board of Education's Federal Rights Coordinators are responsible for ensuring this policy is implemented.



- X. The procedure outlined above shall also be followed in cases in which a student is the subject of conduct aimed at defining a student in a sexual manner and conduct impugning the character of a student based on allegations of sexual promiscuity