

<u>Section J:</u>  <b>Students</b>	<b>Knox County Board of Education Policy</b>		
	<b>Harassment, Intimidation and Bullying or Cyber-Bullying</b>	Descriptor Term:	Descriptor Code:
		Issued:	6/05
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		8/17	

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**GENERAL**

Knox County Schools prohibits acts of harassment, intimidation, bullying and cyber-bullying.<sup>1, 2</sup> A safe and courteous environment in school is necessary for students to learn and achieve. Harassment, intimidation or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student’s ability to learn and a school’s ability to educate students in a safe and orderly environment; and since students learn by example, administrators, faculty, staff and volunteers should be positive role models in demonstrating appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment, intimidation or bullying. All Knox County Schools teachers and administrative personnel are responsible for ensuring this policy is faithfully implemented in all areas under their purview or direct supervision.

“Cyber-bullying” means bullying undertaken through the use of electronic devices;

“Electronic devices” include, but are not limited to, telephones, cellular phones or other wireless telecommunication devices, personal digital assistants (PDAs), computers, electronic mail, instant messaging, text messaging, and web sites;

“Harassment, intimidation or bullying” means any act that substantially interferes with a student’s educational benefits, opportunities or 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:
  - (i) Physically harming a student or damaging a student’s property;
  - (ii) Knowingly placing a student or students in reasonable fear of physical harm to the student or damage to the student’s property;
  - (iii) Causing emotional distress to a student or students; or
  - (iv) Creating a hostile educational environment; or
- (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 education environment or learning process.

All students are expected to refrain from acts of harassment, intimidation and bullying or cyber-bullying in any form and to be aware that such disciplinary measures as are appropriately assigned in Board policy J-191 will be utilized for the unacceptable behavior described above.

## **PREVENTION AND TRAINING**

At the beginning of each school year, principals will provide this policy to parents and ensure that students are aware of the expectations for their behavior under this policy. This policy shall also be posted in the Board of Education policy page of the Knox County Schools website.

To promote and foster intergroup awareness, appreciation and understanding by students and staff of the diverse ethnic, racial, and cultural groups represented in the school district, United States, and the world, the Knox County Schools shall:

1. Provide on-going professional development for staff to prevent harassment, intimidation and bullying.
2. Implement practices to achieve safer and less violent schools for students, teachers and administrators through Restorative Practices, Positive Behavior Intervention Support, and professional development regarding implicit biases. Unless the schedule is modified, training is expected to continue through 2019.
3. Endeavor to ensure that the curriculum does not promote stereotypical views of any group and recognizes the accomplishments and contributions of all peoples.
4. Provide a comprehensive digital citizenship training program at all levels.

## **REPORTING AND RESPONSE**

Students who feel they are being harassed, bullied or intimidated may report this concern to any teacher or school administrator or the office of the Superintendent using any means of communication with which they feel comfortable. Students may report anonymously, and anonymous reports will be treated with the same level of urgency as all other reports.

All school employees are required to report alleged violations of this policy to the principal or the principal's designee for investigation and appropriate action. Submission of a written incident report to the principal is required by all district employees. Oral reports will also be considered official reports. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report. Once a report is received, the principal or his or her designee must initiate an investigation within forty-eight (48) hours for student well-being unless the need for additional time is appropriately documented. An appropriate intervention must be initiated within twenty (20) calendar days from the receipt of the report unless the need for more time is appropriately documented.<sup>2</sup> Parents of all students must be immediately informed if their student is involved in an act of harassment, intimidation, bullying or cyber-bullying. Restorative practices will be used to the extent practicable in those schools where training has been completed.

A school employee, student or volunteer who possesses reliable information that a student has electronically transmitted a credible threat to cause bodily injury or death to another student or school employee shall report such information to the Principal or other school administrator. The Principal shall, in consultation with the appropriate district administrative personnel, make a determination regarding the disposition of the report with respect to appropriate investigations and disciplinary actions.<sup>3</sup>

1 Failure to report reliable information about an electronically transmitted credible threat to a student or  
 2 employee may result in disciplinary action for the student or employee withholding the information. If a  
 3 volunteer fails to report such information, the volunteer may be restricted from volunteering at any further  
 4 school related activities.

5 A school employee, student or volunteer may not engage in reprisal or retaliation against a victim of,  
 6 witness to, or person with reliable information about an act of harassment, intimidation, bullying or cyber-  
 7 bullying.<sup>4</sup>

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 9 No student shall be the subject of reprisal for any report of bullying, harassment and intimidation.  
 10 Students found to have perpetrated acts of reprisal shall be subject to appropriate disciplinary action as  
 11 described in Board Policy J-191.<sup>4,5</sup>

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 13 Consequences for a student found to have falsely accused another as a means of harassment, intimidation  
 14 or bullying range from behavioral interventions up to and including suspension or expulsion, as permitted  
 15 under Board Policy J-191.

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 17 The following factors will be considered in determining the appropriate response to students who commit  
 18 one or more acts of harassment, intimidation, bullying or cyber-bullying:

- 19 1. The developmental level and maturity levels of the parties involved;
- 20 2. The levels of harm as determined by the student's ability to be educated in a safe and orderly
- 21 environment;
- 22 3. The surrounding circumstances;
- 23 4. The nature of the behavior(s);
- 24 5. Past incidences or continuing patterns of behavior;
- 25 6. The relationships between the parties involved; and
- 26 7. The context in which the alleged incidents occurred.
- 27 8. The efficacy of restorative practices with the students involved.

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 32 Consequences and appropriate remedial action for students who commit acts of harassment, intimidation  
 33 or bullying may range from behavioral interventions up to and including suspension or expulsion. The  
 34 appropriate action will be consistent with established Board policy, case law, and federal and state  
 35 statutes.

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 Legal References:

- 40 1. If this concerns possible or alleged civil rights violations, please refer to Board Policy J-210. Tennessee Code Annotated § 49-6-4501.
- 41 2. T.C.A. § 49-6-4503.
- 42 3. T.C.A. § 49-6-4504.
- 43 4. T.C.A. § 49-6-4505(a).
- 44 5. T.C.A. § 49-6-4216(a)(2)(C) and § 49-6-4505(d).

45 Approved as to Legal Form  
 46 By Knox County Law Director 6/7/2017  
 47 /Gary T. Dupler/Deputy Law Director