

MARSHALL COUNTY SCHOOL SYSTEM

Administrative Procedures

6.8

Effective Date: February 6, 2013

Revised Date:

Section: Students

Subject: Procedures Addressing Bullying and Harassment

Related Policy: Student Discrimination/Harassment and Bullying/Intimidation and Cyberbullying - 6.304

I. DEFINITIONS

Bullying - Unwanted, aggressive behavior that involves a real or perceived power imbalance.

Cyberbullying – Bullying undertaken through the use of electronic devices.

Gender-based harassment – Discrimination based on a student’s failure to conform to stereotyped notions of masculinity and femininity.

Harassment – Unwelcomed conduct that creates a hostile environment.

Hostile environment – Unwelcomed conduct that is sufficiently severe, pervasive, or persistent so as to interfere with or limit a student’s ability to participate in a program or activity.

Retaliation – Adverse action taken against someone for exercising their rights, such as filing a complaint or assisting in an investigation.

Sexual Harassment – Unwelcomed conduct of a sexual nature that can deny or limit, on the basis of sex, a student’s ability to participate in or receive benefits, services, or opportunities in the school’s programs.

II. OVERVIEW

What is Bullying?

Bullying fosters a climate of fear and disrespect that can seriously impair the physical and psychological health of its victims and create conditions that negatively affect learning. The behavior is repeated, or has the potential to be repeated, over time. The imbalance of power involves the use of physical strength, or popularity to access embarrassing information to control or harm others.

Three types of bullying.

Verbal bullying – Saying or writing mean things.

- Includes teasing, name calling, inappropriate sexual comments, taunting, and threatening to cause harm.

Social bullying – Hurting someone’s reputation or relationships.

- Involves telling other students not to be friends with someone, leaving someone out on purpose, spreading rumors or embarrassing someone in public.

Physical bullying – Hurting a person’s body or possessions.

- Includes hitting/kicking/pinching, spitting, tripping or pushing, taking or breaking someone’s things, and making mean or rude hand gestures.

What is not considered Bullying?

While these types of behavior are still very serious and require immediate attention, response, and prevention, they do not fit the definition of bullying.

- *Peer Conflict* – It is not considered bullying when individuals with NO PERCEIVED IMBALANCE OF POWER have an argument, disagreement, or fight.
- *Teasing* – Two or more friends who act together teasing in a way that seems fun to all persons involved is not bullying. Often individuals will tease each other equally, but it never involves physical or emotional abuse.
- *Hazing* – The use of embarrassing and often dangerous or illegal activities by a group to initiate new members is illegal on or off the property of Marshall County Schools and in the State of Tennessee.

What is Harassment?

Because Marshall County Schools receives federal funds, the system is required to adhere to the civil rights laws. The laws that the Office of Civil Rights (OCR) enforce are:

- Title VI (1964) – Prohibits race, color, or national origin discrimination. Title VI can involve discrimination based on religion if the harassment is based on a student’s actual or perceived ancestry or ethnic characteristic;
- Title IX (1972) – Prohibits sexual discrimination, gender-based harassment, pregnancy or marital discrimination;
- Section 504 (Rehabilitation Act of 1973) – Prohibits discrimination based on disability.

Harassment does not have to include intent to harm, be directed at a specific target or have repeated incidents.

What is the difference between bullying and harassment?

Bullying and harassment both involve behavior which harms, intimidates, threatens, victimizes, offends, degrades, or humiliates, someone. Bullying is considered a relationship issue, while harassment is a human rights issue.

III. PROCEDURES

1. Annually all staff will receive a copy of the bullying/harassment policy and the administrative procedures for district/school implementation through the on-line employee handbook.
2. Staff will be trained on an annual basis in bullying prevention, strategies to address bullying when it happens, and measures relative to implementation of the policy.

3. The district's policy on prohibiting bullying and harassment of students will be provided to parents in student handbooks.
4. Each school is responsible for addressing incidents about which it knows or reasonably should have known that takes place on school grounds, at any school-sponsored activity, on school-provided equipment or transportation or at an official school bus stop.
5. All school employees are required to report alleged violations of board policy 6.304 to the principal and/or designee for the investigating and resolving of complaints.
6. A thorough investigation will be conducted by a non-judgmental trained individual. Accommodations will be made for those with limited English proficiency, disability, or age. The following steps will be implemented and are not to be considered all inclusive:
 - A. Any individual student may present a bullying/harassment complaint. The individual will be provided assistance, if necessary, in completing the Complaint Form.
 - B. The principal/designee will meet with the individual/student and parents to explain the investigation process for handling a complaint and make them aware that the information regarding the complaint will only be given on a need-to-know basis.
 - C. The investigation shall consist of, but not be limited to, personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation shall also consist of any other methods and documents deemed pertinent by the investigator, i.e., school discipline records, board policies and procedures, etc.
 - D. A written evidence-based report of the findings, summarizing the interviews and factual evidence gathered during the investigation, statements of violations or compliance with local, state and federal policies and procedures, and recommendations for remedial actions and/or resolution of the complaint will be made by the principal/designee to the Director of Schools. A report will also be made to the Board Chairman.
 - E. The Principal/designee will conduct a follow-up meeting with the complainant/student and parents to discuss resolution to the bullying/harassment complaint.

IV. ATTACHMENTS

Addendum A - Complaint Form

Addendum B - Bullying/Harassment Administrative Report Form

Signature on File

Jacob Sorrells, Director of Schools