

Williamson County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: <h2 style="text-align: center;">Anti-Harassment</h2>	Descriptor Code: 6.304	Issued Date: 11/18/19
		Rescinds: 6.304	Issued: 03/19/18

1 **AUTHORITY:** Tennessee Human Rights Act; Title VI of the Civil Rights Act of 1964; Title IX
2 of the Education Amendments of 1972; and Section 504 of the Rehabilitation
3 Act of 1973

4 **PURPOSE:** To establish a learning and working environment free from harassment.

5 **APPLICATION:** All students, employees, third party members of the Williamson County Board
6 of Education, and consultants.

7 **DEFINITIONS:** Included within policy.

8 **I. GENERAL STATEMENT OF POLICY**

9 The Williamson County Board of Education is committed to safeguarding the rights of all students,
10 employees and third parties within the school system, on school campuses, at school events, and on
11 school buses to learn and work in an environment that is free from all forms of harassment and/or
12 sexual harassment.

13 It is the policy of the Williamson County Board of Education to maintain a learning and working
14 environment that is free from harassment of any type. The Board prohibits any form of sexual
15 harassment or harassment based upon age, religion, disability, color, and/ or race/national origin or any
16 other class protected by law. All persons are required to make a conscientious effort to fully consider
17 and understand the nature and basis of a harassment or sexual harassment complaint.

18 It shall be a violation of this policy for any student, teacher, administrator or other school personnel or
19 the Williamson County Schools to harass or sexually harass a student, teacher, administrator or other
20 school personnel through conduct or communication of any form as defined by this policy. The school
21 system will act to promptly investigate all complaints and to promptly and appropriately discipline any
22 student or school personnel who is found to have violated this policy, and/or take other appropriate
23 action reasonably calculated to end the harassment or sexual harassment.

24 For the purpose of this policy, school personnel includes school board members, employees of the
25 Williamson County Schools, agents, volunteers, contractors, or persons subject to the supervision and
26 control of the Williamson County Schools.

27 Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Section
28 504 of the Rehabilitation Act of 1973 require school districts to have officially adopted policy
29 statements of nondiscrimination on the basis of sex, disability, national origin, race or any other class
30 protected by law.

1 II. HARASSMENT DEFINED AND PROHIBITED

2 It is the policy of the Williamson County Board of Education not to discriminate on the basis of sex,
3 race, national origin, color, creed, religion, age, marital status, disability or any other class protected by
4 law in its educational programs, activities, or employment policies as required by the referenced
5 federal and state statutes. Any student or school personnel shall be punished for infractions of this
6 policy when:

- 7 1. The harassing conduct is sufficiently severe, persistent or pervasive that it affects the ability of
8 the student or school personnel to participate in or benefit from the educational program or
9 activity or the work environment and/or creates an intimidating, threatening or abusive
10 environment.
- 11 2. The harassing conduct has the purpose or effect of substantially or unreasonably interfering
12 with an individual's academic or work performance.
13

14 III. SEXUAL HARASSMENT DEFINED AND PROHIBITED

15 Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually
16 motivated physical contact, or other verbal or physical conduct or communication, including electronic
17 messages and photos, or social media postings of a sexual nature when:

- 18 1. Submission to that conduct or communication is made a term or condition, either explicitly or
19 implicitly, of obtaining or retaining employment, or of obtaining an education; or
20
- 21 2. Submission to or rejection of that conduct or communication by an individual is used as a
22 factor in decisions affecting that individual's employment or education; or
23
- 24 3. That conduct or communication has the purpose or effect of substantially or unreasonably
25 interfering with an individual's employment or education, or creating an intimidating, hostile or
26 offensive employment or education environment. Any sexual harassment as defined when
27 perpetrated on any student or employee will be treated as sexual harassment under this policy.

28 Sexual harassment may include but is not limited to:

- 29 1. Sexual advances;
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- 31 2. Verbal harassment or abuse;
32
- 33 3. Subtle pressure for sexual activity;
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- 35 4. Touching of a sexual nature, including inappropriate patting or pinching;
36
- 37 5. Intentional brushing against a student or employee's body;
38
- 39 6. Demanding sexual favors accompanied by implied or overt threats concerning an individual's
40 employment or educational status;

- 1 7. Demanding sexual favors, especially when accompanied by implied or overt promises of
2 preferential treatment with regard to an individual's employment or educational status;
- 3
- 4 8. Graffiti of a sexual nature;
- 5
- 6 9. Displaying or distributing sexually explicit drawings, pictures or other written materials,
7 including making and playing sexually explicit audio/video tapes;
- 8
- 9 10. Sexual gestures, including touching oneself sexually or talking about ones sexual activities in
10 front of others;
- 11
- 12 11. Sexual or "dirty" jokes; or
- 13
- 14 12. Spreading rumors about or rating other students as to sexual activity or performance;
- 15
- 16 13. Written or electronic communication of a sexual nature that is unwanted and unwelcome; or
- 17
- 18 14. Circulating, displaying or creating emails, text messages, social media postings, or websites of
19 a sexual nature.

20 IV. REPORTING PROCEDURES

21 Any person who believes he or she has been the victim of harassment or sexual harassment as defined
22 in section II and III of this policy by a student or school personnel, or any third person with knowledge
23 or belief of conduct which may constitute harassment or sexual harassment shall report the alleged
24 act(s) immediately to the appropriate school system official as designated by this policy. The Board
25 encourages the reporting party or complainant to use the report form available from the Principal of
26 each school or available from the school system office. If a student reports sexual harassment to a
27 teacher, the teacher must report the incident to the Principal as soon as reasonably practicable, but no
28 later than the close of the school day in which the report is received. In cases subject to reporting under
29 TCA 49-6-1601, the Principal must report the incident to the victim's parents within 24 hours of
30 receiving notice unless otherwise instructed by the Department of Children's Services or law
31 enforcement. In cases not subject to reporting under TCA 49-6-1601, the Principal must report the
32 incident to the victim's parents by no later than the school day following the day of the report.

33 **In Each School** – The school Principal is the person responsible for receiving oral or written reports of
34 harassment or sexual harassment at the school level. Upon receipt of a report, the Principal must notify
35 the Coordinator of Student and Employee Relations (as appointed by the Superintendent of Schools)
36 immediately.

37 If the report was given verbally, the Principal shall reduce it to written form within 24 hours and
38 forward it to the Coordinator of Student and Employee Relations. Failure to forward any harassment or
39 sexual harassment report or complaint as provided herein will result in disciplinary action. If the
40 complaint involves the school Principal, the complaint shall be filed directly with the Coordinator of
41 Student and Employee Relations.

1 **System-wide** – Prior to June 30 each year, the Superintendent of Schools will designate the system’s
2 Coordinator of Student and Employee Relations to receive reports or complaints of sexual harassment
3 from any individual, employee or victim of harassment or sexual harassment and also from the school
4 Principals as outlined above. This appointment will be made public at the next regular meeting of the
5 Board of Education and will include the appointee’s name, office phone number and office mailing
6 address. If the complaint involves the Coordinator of Student and Employee Relations, the complaint
7 shall be filed directly with the Superintendent of Schools. If the complaint involves the Superintendent
8 of Schools or the Williamson County Board of Education, the complaint shall be made to the School
9 Board Attorney.

10 Submission of a complaint or report of harassment or sexual harassment will not affect the reporting
11 individual’s future employment, grades or work assignment.

12 The school system will respect the confidentiality of the complainant and the individual(s) against
13 whom the complaint is filed as much as possible, consistent with the school system’s legal obligations
14 and the necessity to investigate allegations of harassment and take disciplinary action when the
15 conduct has occurred.

16 **V. INVESTIGATION AND RECOMMENDATION**

17 By Board authority the Title IX Coordinator or the Coordinator of Student and Employee Relations,
18 upon receipt of a report or complaint alleging harassment or sexual harassment, shall immediately
19 authorize an internal investigation. This internal investigation shall be conducted by school officials,
20 such as the principal or assistant principal at the school where the harassment is alleged to have
21 occurred. The Title IX Coordinator or Superintendent of Schools may also designate or appoint a
22 neutral third party to conduct the internal investigation. All investigators designated or appointed to
23 conduct an internal investigation must receiving training or have specific experience on how to
24 conduct a sexual harassment investigation that complies with this policy and Title IX.

25 School officials shall move forward expeditiously with the internal investigation. Notwithstanding the
26 foregoing, the internal investigation may be deferred at the direction of law enforcement or DCS if the
27 reported incident is the subject of a DCS or criminal investigation. The temporary suspension of the
28 internal investigation shall be for the minimum amount of time deemed necessary or until law
29 enforcement or DCS advise school investigators that the internal investigation may move forward.

30 The investigators shall provide a written report of the status of the investigation as soon as possible,
31 but no later than 14 days from the beginning of the investigation, to the Title IX Coordinator, the
32 Coordinator of Student and Employee Relations, and the Superintendent of Schools or designee. The
33 Title IX Coordinator or the Coordinator of Student and Employee Relations shall remain informed
34 throughout the school investigation process and shall provide input to school investigators regarding
35 the conduct of the investigation on an ongoing basis as appropriate to ensure compliance.

36 In determining whether alleged conduct constitutes harassment or sexual harassment, the surrounding
37 circumstances, the nature of the sexual advances if sexual harassment is alleged, relationships between
38 parties involved and the context in which the alleged incidents occurred shall be considered.

39 The investigators conducting the investigation shall objectively gather facts and evidence to maintain a
40 neutral, impartial, and unbiased assessment. The investigation shall consist of, but not be limited to,

1 personal interviews with the complainant, the individual(s) against whom the complaint is filed, and
2 others who may have knowledge of the alleged incident(s) or circumstances giving rise to the
3 complaint. Both the complainant and the alleged harasser shall have opportunity to identify individuals
4 with knowledge of relevant circumstances and submit evidence during the course of the investigation
5 that supports their claims or defenses. The investigation shall also consist of any other methods and
6 documents deemed pertinent by the investigator.

7 In addition, school investigators are authorized to take immediate steps to protect the complainant,
8 students and employees pending completion of an investigation of alleged harassment or sexual
9 harassment. For example, as appropriate to the situation, school officials may take steps to separate the
10 complainant and the alleged harasser by adjusting class schedules, lunch schedules and extracurricular
11 activities, increasing security for the victim, limiting contact between the complainant and the alleged
12 harasser during the pendency of the investigation, providing counseling resources available through the
13 school or the school district, or taking other such proactive action as necessary to ensure protection of
14 the complainant and the alleged harasser pending completion of the investigation and thereafter.

15 Generally, an investigation will be completed within sixty days of commencement (or within sixty
16 days of authorization by law enforcement/DCS as outlined above). Should the investigation period
17 exceed sixty days, written notification to the complainant and the alleged harasser of the reason for the
18 delay shall be provided.

19 The Superintendent of Schools, Title IX Coordinator, or the Coordinator of Student and Employee
20 Relations shall keep the complainant and the alleged harasser informed of the status of investigation
21 process.

22 **VI. SCHOOL DISTRICT ACTION**

23 Immediately following the internal school investigation, the school investigators shall prepare a written
24 report that sets forth its findings and recommendations. The written report will be forwarded to the
25 Title IX Coordinator. A final determination regarding whether the complaint is substantiated, and what
26 action shall be taken, shall be made at the school level by the School Principal or Assistant Principal,
27 and if other than the school level, shall be made by the Superintendent of Schools or his designee.

28 The final determination shall be made based upon a preponderance of the evidence standard of proof
29 (i.e., it is more likely than not that sexual harassment occurred). The Superintendent of Schools or
30 his/her designee shall take such action as appropriate based on the result of the investigation.

31 The Superintendent of Schools, the Coordinator of Student and Employee Relations or the School
32 Administration, as appropriate, shall promptly provide a written report regarding the result of the
33 investigation of each complaint filed under these procedures in writing to the complainant and the
34 alleged harasser. The report shall document any disciplinary action taken as a result of the complaint.

35 The Superintendent of Schools or the Coordinator of Student and Employee Relations shall require
36 school officials to take other immediate steps as are necessary to prevent recurrence of the harassment.

37 Any complainant or accused harasser who is dissatisfied with the conclusions drawn as a result of the
38 investigation may appeal the matter by following the grievance procedures outlined in Board of
39 Education Policy 6.305.

1 VII. REPRISAL

2 The Superintendent of Schools shall discipline any individual who retaliates against any person who
3 reports alleged incidents of harassment or sexual harassment (as defined in section II and III of this
4 policy) or who retaliates against any person who testifies, assists or participates in an investigation,
5 proceeding or hearing relating to a harassment or sexual harassment complaint. Retaliation includes,
6 but is not limited to, any form of intimidation, reprisal or harassment, which creates a hostile
7 environment.

8 VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES

9 These procedures do not deny the right of any individual to pursue other avenues of recourse that may
10 be available under state and/or federal law. False accusations of harassment or sexual harassment (as
11 defined in section II and III of this policy) can have a serious detrimental effect on innocent parties.
12 Any person who knowingly and intentionally makes false accusations for any reason which would be
13 contrary to the spirit and intent of this policy shall be subject to immediate and appropriate disciplinary
14 action.

15 IX. SEXUAL HARASSMENT AS SEXUAL ABUSE

16 Under certain circumstances, sexual harassment may constitute sexual abuse as defined under
17 Tennessee Law. In such situations, the school system shall comply with Tennessee Law regarding the
18 reporting of suspected abuse to appropriate authorities.

19 X. DISCIPLINE

20 Any action taken pursuant to this policy will be consistent with requirements of federal law, Tennessee
21 statutes, and school system policies. The Superintendent of Schools will take such disciplinary action
22 deemed necessary and appropriate.

23 XI. POLICY DISTRIBUTION

24 A copy of the foregoing policy and reporting procedure shall be published in the Board's Policy
25 Manual, shall be included in each student handbook published by the school system, and shall be
26 posted in a conspicuous place in each school building. Postings of the policy shall include the name(s)
27 of the person(s) to whom reports should be directed.

28 Staff Development and student education will be provided by the school system.

Cross References

Anti-Harassment 5.500
Complaints and Grievances 6.305

Williamson County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Bullying	Descriptor Code: 6.3032	Issued Date: 11/18/19
		Rescinds: 6.3032	Issued: 10/17/16

1 Bullying and bullying-related behaviors (e.g. cyber-bullying, intimidation, hazing, harassment, etc.) are
2 unacceptable behaviors, are strictly prohibited, and will not be tolerated.¹ Students found to be acting in
3 violation of this policy shall be subject to discipline, up to and including suspension or expulsion.

4 Principals shall be responsible for publicizing this policy, including notice to students and employees
5 that this policy applies to behavior at all school-sponsored activities. All WCS employees shall be
6 responsible for implementation of this policy.

7 Each school shall implement a bullying awareness program.

8 **DEFINITIONS**

9 **Bullying:** Bullying is defined by Tennessee law as any act that substantially interferes with a student's
10 educational benefits, opportunities or performance, and has the effect of:

- 11 1. Physically harming a student or damaging a student's property;
- 12
- 13 2. Knowingly placing the student or students in reasonable fear of physical harm to the student or
14 damage to the student's property;
- 15
- 16 3. Causing emotional distress to a student or students; or 4) Creating a hostile educational
17 environment.

18 **Hazing:** Hazing is defined by Tennessee law as any act that recklessly or intentionally endangers the
19 mental health, physical health or safety of a student for the purpose of initiation, or as a condition of
20 attaining membership in, or affiliation with, any school-sponsored activity or grade level attainment.²

21 **EXAMPLES**

22 Examples of acts which may be considered bullying include, but are not limited to:

- 23 1. Overt, repeated acts or gestures made with the intent to harass, ridicule, humiliate, or harm;
- 24
- 25 2. Physical or psychological intimidation;
- 26
- 27 3. Stated or implied threats;
- 28 4. Use of any language, written or unwritten, hand gestures or other forms of expression aimed at
29 defining a student in a sexual manner or impugning the character of a student based on

- 1 allegations of sexual promiscuity;
2
3 5. Assault of a student, whether physical, verbal, psychological, or emotional;
4
5 6. Attacks on personal property; and
6
7 7. Communication of any of the above, or an intent to undertake any of the above, whether made
8 in person or by electronic device.

9 Examples of acts which may be considered hazing include, but are not limited to:

- 10 1. Forced consumption of any drink, alcoholic beverage, drug or controlled substance;
11
12 2. Forced exposure to the elements;
13
14 3. Forced prolonged exclusion from social contact;
15
16 4. Sleep deprivation;
17
18 5. Forced requirement or encouragement of the wearing or carrying of any obscene or physically
19 burdensome article;
20
21 6. Assignment of pranks to be performed;
22
23 7. Other such activities intended to degrade, embarrass and ridicule, humiliate; and
24
25 8. Any other forced activity that could adversely affect the mental or physical health or safety of a
26 student, or staff member.

27 Acts may be found to be in violation of this policy whether they are committed in person, in writing,
28 through an agent or intermediary, or communicated or undertaken through electronic means.

29 **REPORTING AND INVESTIGATION PROCEDURE**

30 Each school shall have a reporting procedure which is easily accessed and readily understandable. A
31 bullying offense may be reported by any person.³ Anonymous reports may be made; however,
32 disciplinary action may not be taken solely on the basis of an anonymous report.

33 Reports shall be made to the Principal, an Assistant Principal or a teacher. All reports shall be promptly
34 forwarded to either the Principal or an Assistant Principal.⁴

35 Either the Principal or an Assistant Principal shall, within forty-eight (48) hours of receiving the report,
36 investigate and evaluate the merits of the report.

37 Following the investigation, but no later than twenty (20) calendar days from the date of the report, the
38 Principal or Assistant Principal shall:

- 39 1. Initiate any interventions that are appropriate, and

1 2. Make available to the students involved counseling and any other support services deemed
2 appropriate.

3 The Principal or Assistant Principal shall also notify the parents of the students involved, and shall
4 inform the parents that counseling and any other support services are available.

5 **PROHIBITION AGAINST FALSE CLAIMS**

6 Students and employees are prohibited from intentionally submitting a statement they know to be false
7 or intentionally falsely accusing another of bullying or bullying-related behavior. Any student or
8 employee violating this prohibition shall be disciplined.

9 **PROHIBITION AGAINST RETALIATION**

10 Retaliation against a victim, witness, or person with reliable information for reporting a bullying offense
11 or for providing information in any manner is strictly prohibited. Any student or employee violating this
12 prohibition shall be disciplined.

Legal References

1. TCA 49-6-4503
2. TCA 49-2-120
3. 20 USCA §§ 1681 to 1686
4. TCA 49-6-4503(c)(2)(B)

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
Complaints and Grievances 6.305
Child Abuse and Neglect 6.409
Student Suicide Prevention 6.415

Williamson County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Anti-Harassment	Descriptor Code: 5.500	Issued Date: 06/06/14
		Rescinds: 5.500	Issued: 01/22/01

1 **AUTHORITY:** Tennessee Human Rights Act; Title VI of the Civil Rights Act of 1964; Title IX
2 of the Education Amendments of 1972; and Section 504 of the Rehabilitation Act
3 of 1973.

4 **PURPOSE:** To establish a learning and working environment free from harassment.

5 **APPLICATION:** All students, employees, third party members of the Williamson County Board of
6 Education, and consultants.

7 **DEFINITIONS:** Included within policy.

8 **GENERAL STATEMENT OF POLICY**

9 The Williamson County Board of Education is committed to safeguarding the rights of all students,
10 employees and third parties within the school system, on school campuses, at school events, and on
11 school buses to learn and work in an environment that is free from all forms of harassment and/or sexual
12 harassment.¹

13 It is the policy of the Williamson County Board of Education to maintain a learning and working
14 environment that is free from harassment of any type. The Board prohibits any form of sexual harassment
15 or harassment based upon age, religion, disability, color, and/ or race/national origin or any other class
16 protected by law. All persons are required to make a conscientious effort to fully consider and understand
17 the nature and basis of a harassment or sexual harassment complaint.

18 It shall be a violation of this policy for any student, teacher, administrator or other school personnel of
19 the Williamson County Schools to harass or sexually harass a student, teacher, administrator or other
20 school personnel through conduct or communication of any form as defined by this policy. The school
21 system will act to promptly investigate all complaints and to promptly and appropriately discipline any
22 student or school personnel who is found to have violated this policy, and/or take other appropriate action
23 reasonably calculated to end the harassment or sexual harassment.

24 For the purpose of this policy, school personnel includes school board members, employees of the
25 Williamson County Schools, agents, volunteers, contractors, or persons subject to the supervision and
26 control of the Williamson County Schools.

27 Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Section
28 504 of the Rehabilitation Act of 1973 require school districts to have officially adopted policy statements
29 of nondiscrimination on the basis of sex, disability, national origin and race or any other class protected
30 by law.

1 HARASSMENT DEFINED AND PROHIBITED

2 It is the policy of the Williamson County Board of Education not to discriminate on the basis of sex,
3 race, national origin, color, creed, religion, age, marital status, disability or any other class protected by
4 law in its educational programs, activities, or employment policies as required by the referenced federal
5 and state statutes. Any student or school personnel shall be punished for infractions of this policy when:
6 The harassing conduct is sufficiently severe, persistent or pervasive that it affects the ability of the
7 student or school personnel to participate in or benefit from the educational program or activity or the
8 work environment and/or creates an intimidating, threatening or abusive environment. The harassing
9 conduct has the purpose or effect of substantially or unreasonably interfering with an individual's
10 academic or work performance.

11 Harassment may include but is not limited to:

- 12 1. Graffiti, notes, or cartoons containing discriminatory language;
- 13
- 14 2. Name calling, jokes, or rumors;
- 15
- 16 3. Negative stereotypes and hostile acts which are based upon a person's sex, race, national
17 origin, color, creed, religion, age, marital status, disability or any other class protected by law;
- 18
- 19 4. Written or graphic material containing discriminatory comments or stereotypes that is posted
20 or circulated and which is aimed at degrading individuals or members of protected classes;
- 21
- 22 5. Threatening or intimidating conduct directed at another because of the other's race, national
23 origin, color, creed, religion, age, marital status, disability or any other class protected by law;
24 and
- 25
- 26 6. A physical act of aggression or assault, or other acts of aggressive conduct, upon another
27 because of, or in a manner reasonably related to, an individual's race, national origin, color,
28 creed, religion, age, marital status, or disability or any other class protected by law.

29 SEXUAL HARASSMENT DEFINED AND PROHIBITED

30 Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually
31 motivated physical contact, or other verbal or physical conduct or communication of a sexual nature
32 when:

- 33 1. Submission to that conduct or communication is made a term or condition, either explicitly or
34 implicitly, of obtaining or retaining employment, or of obtaining an education; or
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- 36 2. Submission to or rejection of that conduct or communication by an individual is used as a
37 factor in decisions affecting that individual's employment or education; or
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- 39 3. That conduct or communication has the purpose or effect of substantially or unreasonably
40 interfering with an individual's employment or education, or creating an intimidating, hostile or
41 offensive employment or education environment.

1 Any sexual harassment as defined when perpetrated on any student or employee will be treated as sexual
2 harassment under this policy.

3 Sexual harassment may include but is not limited to:

4 1. Sexual advances;

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6 2. Verbal harassment or abuse;

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8 3. Subtle pressure for sexual activity;

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10 4. Touching of a sexual nature, including inappropriate patting or pinching;

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12 5. Intentional brushing against a student or employee's body;

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14 6. Demanding sexual favors accompanied by implied or overt threats concerning an individual's
15 employment or educational status;

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17 7. Demanding sexual favors, especially when accompanied by implied or overt promises of
18 preferential treatment with regard to an individual's employment or educational status;

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22 9. Displaying or distributing sexually explicit drawings, pictures or other written materials,
23 including making and playing sexually explicit audio/video tapes;

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25 10. Sexual gestures, including touching oneself sexually or talking about ones sexual activities in
26 front of others;

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28 11. Sexual or "dirty" jokes; or

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30 12. Spreading rumors about or rating other students as to sexual activity or performance.

31 **REPORTING PROCEDURES**

32 Any person who believes he or she has been the victim of harassment or sexual harassment as defined
33 in this policy by a student or school personnel, or any third person with knowledge or belief of conduct
34 which may constitute harassment or sexual harassment shall report the alleged act(s) immediately to the
35 appropriate school system official as designated by this policy. The Board encourages the reporting party
36 or complainant to use the report form available from the Principal of each school or available from the
37 school system office.

38 *In Each School*

39 The school Principal is the person responsible for receiving oral or written reports of harassment or
40 sexual harassment at the school level. Upon receipt of a report, the Principal must notify the Coordinator
41 of Student and Employee Relations (as appointed by the Superintendent of Schools) immediately. A

1 written report will be forwarded simultaneously to the Coordinator of Student and Employee Relations.
2 If the report was given verbally, the Principal shall reduce it to written form within 24 hours and forward
3 it to the Coordinator of Student and Employee Relations. Failure to forward any harassment or sexual
4 harassment report or complaint as provided herein will result in disciplinary action. If the complaint
5 involves the school Principal, the complaint shall be filed directly with the Coordinator of Student and
6 Employee Relations.

7 *System-wide*

8 Prior to June 30 each year, the Superintendent of Schools will designate the system's Coordinator of
9 Student and Employee Relations to receive reports or complaints of sexual harassment from any
10 individual, employee or victim of harassment or sexual harassment and also from the school Principals
11 as outlined above. This appointment will be made public at the next regular meeting of the Board of
12 Education and will include the appointee's name, office phone number and office mailing address. If the
13 complaint involves the Coordinator of Student and Employee Relations, the complaint shall be filed
14 directly with the Superintendent of Schools. If the complaint involves the Superintendent of Schools or
15 the Williamson County Board of Education, the complaint shall be made to the School Board Attorney.

16 Submission of a complaint or report of harassment or sexual harassment will not affect the reporting
17 individual's future employment, grades or work assignment.

18 The school system will respect the confidentiality of the complainant and the individual(s) against whom
19 the complaint is filed as much as possible, consistent with the school system's legal obligations and the
20 necessity to investigate allegations of harassment and take disciplinary action when the conduct has
21 occurred.

22 **INVESTIGATION AND RECOMMENDATION**

23 By Board authority the Coordinator of Student and Employee Relations, upon receipt of a report or
24 complaint alleging harassment or sexual harassment, shall immediately authorize an investigation. This
25 investigation shall be conducted by the school system officials and/or by a third party designated by the
26 Superintendent of Schools. The party making the investigation shall provide a written report of the status
27 of the investigation as soon as possible to the Superintendent of Schools and the Coordinator of Student
28 and Employee Relations.

29 In determining whether alleged conduct constitutes harassment or sexual harassment, the surrounding
30 circumstances, the nature of the sexual advances is sexual harassment is alleged, relationships between
31 parties involved and the context in which the alleged incidents occurred shall be considered.

32 The investigation shall consist of, but not be limited to, personal interviews with the complainant, the
33 individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged
34 incident(s) or circumstances giving rise to the complaint. The investigation shall also consist of any other
35 methods and documents deemed pertinent by the investigator.

36 In addition, the Superintendent of Schools shall take immediate steps to protect the complainant, students
37 and employees pending completion of an investigation of alleged harassment or sexual harassment.

1 SCHOOL DISTRICT ACTION

2 Upon receipt of a recommendation that the complaint is valid, the Superintendent of Schools shall take
3 such action as appropriate based on the result of the investigation. The Superintendent of Schools or the
4 Coordinator of Student and Employee Relations shall report the result of the investigation of each
5 complaint filed under these procedures in writing to the complainant. The report shall document any
6 disciplinary action taken as a result of the complaint. The Superintendent of Schools or the Coordinator
7 of Student and Employee Relations shall take other steps as are necessary to prevent recurrence of the
8 harassment. The Superintendent of Schools or the Coordinator of Student and Employee Relations shall
9 keep the complainant informed of the status of complaints.

10 REPRISAL

11 The Superintendent of Schools shall discipline any individual who retaliates against any person who
12 reports alleged incidents of harassment or sexual harassment (as defined in this policy) or who retaliates
13 against any person who testifies, assists or participates in an investigation, proceeding or hearing relating
14 to a harassment or sexual harassment complaint. Retaliation includes, but is not limited to, any form of
15 intimidation, reprisal or harassment, which creates a hostile environment.

16 RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES

17 These procedures do not deny the right of any individual to pursue other avenues of recourse that may
18 be available under state and/or federal law.

19 False accusations of harassment or sexual harassment (as defined in this policy) can have a serious
20 detrimental effect on innocent parties. Any person who knowingly and intentionally makes false
21 accusations for any reason which would be contrary to the spirit and intent of this policy shall be subject
22 to immediate and appropriate disciplinary action.

Legal References

1. 29 CFR §1604.11; 20 USCA § 1681

Cross References

Appeals To and Appearances Before the Board 1.404
Equal Opportunity Employment 5.104
Complaints and Grievances 5.501