

# Williamson County Board of Education



**Adopted Date:**  
1/22/01  
Editorial 6/6/14

5.500

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

3  
4 **PURPOSE:** To establish a learning and working environment free from harassment.

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

8  
9 **DEFINITIONS:** Included within policy.

10  
11 **POLICY:**

## 12 **GENERAL STATEMENT OF POLICY**

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

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

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

29  
30 For the purpose of this policy, school personnel includes school board members, employees of the  
31 Williamson County Schools, agents, volunteers, contractors, or persons subject to the supervision and control  
32 of the Williamson County Schools.

33  
34 Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Section 504 of the  
35 Rehabilitation Act of 1973 require school districts to have officially adopted policy statements of  
36 nondiscrimination on the basis of sex, disability, national origin and race or any other class protected by law.

## 37 **HARASSMENT DEFINED AND PROHIBITED**

- 38  
39 A. It is the policy of the Williamson County Board of Education not to discriminate on the basis of sex,  
40 race, national origin, color, creed, religion, age, marital status, disability or any other class protected  
41 by law in its educational programs, activities, or employment policies as required by the referenced  
42 federal and state statutes. Any student or school personnel shall be punished for infractions of this  
43 policy when: The harassing conduct is sufficiently severe, persistent or pervasive that it affects the  
44 ability of the student or school personnel to participate in or benefit from the educational program or  
45 activity or the work environment and/or creates an intimidating, threatening or abusive environment.  
46 The harassing conduct has the purpose or effect of substantially or unreasonably interfering with an  
47 individual's academic or work performance.  
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- 1 B. Harassment may include but is not limited to:
- 2 1. Graffiti, notes, or cartoons containing discriminatory language;
- 3 2. Name calling, jokes, or rumors;
- 4 3. Negative stereotypes and hostile acts which are based upon a person's sex, race, national origin,
- 5 color, creed, religion, age, marital status, disability or any other class protected by law;
- 6 4. Written or graphic material containing discriminatory comments or stereotypes that is posted or
- 7 circulated and which is aimed at degrading individuals or members of protected classes;
- 8 5. Threatening or intimidating conduct directed at another because of the other's race, national origin,
- 9 color, creed, religion, age, marital status, disability or any other class protected by law;
- 10 6. A physical act of aggression or assault, or other acts of aggressive conduct, upon another because
- 11 of, or in a manner reasonably related to, an individual's race, national origin, color, creed, religion,
- 12 age, marital status, or disability or any other class protected by law.
- 13

## 14 **SEXUAL HARASSMENT DEFINED AND PROHIBITED**

- 15
- 16 A. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually
- 17 motivated physical contact, or other verbal or physical conduct or communication of a sexual nature
- 18 when:
- 19 Submission to that conduct or communication is made a term or condition, either explicitly or
- 20 implicitly, of obtaining or retaining employment, or of obtaining an education; or
- 21 Submission to or rejection of that conduct or communication by an individual is used as a factor in
- 22 decisions affecting that individual's employment or education; or
- 23 That conduct or communication has the purpose or effect of substantially or unreasonably interfering
- 24 with an individual's employment or education, or creating an intimidating, hostile or offensive
- 25 employment or education environment. Any sexual harassment as defined when perpetrated on any
- 26 student or employee will be treated as sexual harassment under this policy.
- 27
- 28 B. Sexual harassment may include but is not limited to:
- 29 1. Sexual advances;
- 30 2. Verbal harassment or abuse;
- 31 3. Subtle pressure for sexual activity;
- 32 4. Touching of a sexual nature, including inappropriate patting or pinching;
- 33 5. Intentional brushing against a student or employee's body;
- 34 6. Demanding sexual favors accompanied by implied or overt threats concerning an individual's
- 35 employment or educational status;
- 36 7. Demanding sexual favors, especially when accompanied by implied or overt promises of
- 37 preferential treatment with regard to an individual's employment or educational status;
- 38 8. Graffiti of a sexual nature;
- 39 9. Displaying or distributing sexually explicit drawings, pictures or other written materials, including
- 40 making and playing sexually explicit audio/video tapes;
- 41 10. Sexual gestures, including touching oneself sexually or talking about ones sexual activities in
- 42 front of others;
- 43 11. Sexual or "dirty" jokes; or
- 44 12. Spreading rumors about or rating other students as to sexual activity or performance.
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## 1 **REPORTING PROCEDURES**

2 Any person who believes he or she has been the victim of harassment or sexual harassment as defined in  
3 section II and III of this policy by a student or school personnel, or any third person with knowledge or belief  
4 of conduct which may constitute harassment or sexual harassment shall report the alleged act(s) immediately  
5 to the appropriate school system official as designated by this policy. The Board encourages the reporting  
6 party or complainant to use the report form available from the Principal of each school or available from the  
7 school system office.  
8

9 **A. In Each School** – The school Principal is the person responsible for receiving oral or written  
10 reports of harassment or sexual harassment at the school level. Upon receipt of a report, the  
11 Principal must notify the Coordinator of Student and Employee Relations (as appointed by the  
12 Superintendent of Schools) immediately. A written report will be forwarded simultaneously to the  
13 Coordinator of Student and Employee Relations. If the report was given verbally, the Principal  
14 shall reduce it to written form within 24 hours and forward it to the Coordinator of Student and  
15 Employee Relations. Failure to forward any harassment or sexual harassment report or  
16 complaint as provided herein will result in disciplinary action. If the complaint involves the school  
17 Principal, the complaint shall be filed directly with the Coordinator of Student and Employee  
18 Relations.  
19

20 **B. System-wide** – Prior to June 30 each year, the Superintendent of Schools will designate the  
21 system's Coordinator of Student and Employee Relations to receive reports or complaints of sexual  
22 harassment from any individual, employee or victim of harassment or sexual harassment and also  
23 from the school Principals as outlined above. This appointment will be made public at the next  
24 regular meeting of the Board of Education and will include the appointee's name, office phone  
25 number and office mailing address. If the complaint involves the Coordinator of Student and  
26 Employee Relations, the complaint shall be filed directly with the Superintendent of Schools. If the  
27 complaint involves the Superintendent of Schools or the Williamson County Board of Education, the  
28 complaint shall be made to the School Board Attorney.  
29

30 **C. Submission of a complaint or report of harassment or sexual harassment will not affect the**  
31 **reporting individual's future employment, grades or work assignment.**  
32

33 The school system will respect the confidentiality of the complainant and the individual(s) against whom the  
34 complaint is filed as much as possible, consistent with the school system's legal obligations and the necessity  
35 to investigate allegations of harassment and take disciplinary action when the conduct has occurred.  
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## 1 **INVESTIGATION AND RECOMMENDATION**

2 By Board authority the Coordinator of Student and Employee Relations, upon receipt of a report or complaint  
3 alleging harassment or sexual harassment, shall immediately authorize an investigation. This investigation  
4 shall be conducted by the school system officials and/or by a third party designated by the Superintendent of  
5 Schools. The party making the investigation shall provide a written report of the status of the investigation as  
6 soon as possible to the Superintendent of Schools and the Coordinator of Student and Employee Relations.  
7

8 In determining whether alleged conduct constitutes harassment or sexual harassment, the surrounding  
9 circumstances, the nature of the sexual advances is sexual harassment is alleged, relationships between  
10 parties involved and the context in which the alleged incidents occurred shall be considered.  
11

12 The investigation shall consist of, but not be limited to, personal interviews with the complainant, the  
13 individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged  
14 incident(s) or circumstances giving rise to the complaint. The investigation shall also consist of any other  
15 methods and documents deemed pertinent by the investigator.  
16

17 In addition, the Superintendent of Schools shall take immediate steps to protect the complainant, students  
18 and employees pending completion of an investigation of alleged harassment or sexual harassment.  
19

## 20 **SCHOOL DISTRICT ACTION**

21 Upon receipt of a recommendation that the complaint is valid, the Superintendent of Schools shall take such  
22 action as appropriate based on the result of the investigation.

23 The Superintendent of Schools or the Coordinator of Student and Employee Relations shall report the result  
24 of the investigation of each complaint filed under these procedures in writing to the complainant. The report  
25 shall document any disciplinary action taken as a result of the complaint.

26 The Superintendent of Schools or the Coordinator of Student and Employee Relations shall take other steps  
27 as are necessary to prevent recurrence of the harassment.

28 The Superintendent of Schools or the Coordinator of Student and Employee Relations shall keep the  
29 complainant informed of the status of complaints.  
30

## 31 **REPRISAL**

32 The Superintendent of Schools shall discipline any individual who retaliates against any person who reports  
33 alleged incidents of harassment or sexual harassment (as defined in section II and III of this policy) or who  
34 retaliates against any person who testifies, assists or participates in an investigation, proceeding or hearing  
35 relating to a harassment or sexual harassment complaint. Retaliation includes, but is not limited to, any form  
36 of intimidation, reprisal or harassment, which creates a hostile environment.  
37

## 38 **RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES**

39 These procedures do not deny the right of any individual to pursue other avenues of recourse that may be  
40 available under state and/or federal law.  
41

42 False accusations of harassment or sexual harassment (as defined in section II and III of this policy) can  
43 have a serious detrimental effect on innocent parties. Any person who knowingly and intentionally makes  
44 false accusations for any reason which would be contrary to the spirit and intent of this policy shall be subject  
45 to immediate and appropriate disciplinary action.  
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## **SEXUAL HARASSMENT AS SEXUAL ABUSE**

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

## **DISCIPLINE**

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

## **POLICY DISTRIBUTION**

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

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

Cross Reference:  
6.304 Anti-Harassment