

# Weakley County Board of Education



Monitoring:

Descriptor Term:

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Issued Date:

## Student Complaints and Grievances

6.305

10/06/2016

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### REPORTING PROCEDURES

Any person who believes he or she has been the victim of discrimination, harassment, and/or bullying/intimidation by a student or an employee of the school system, or any parent or third person with knowledge or belief of conduct which may constitute discrimination, harassment and/or bullying should report the alleged acts immediately to an appropriate school system official as designated by this policy. Understanding and acceptance of our diverse backgrounds may only be achieved through the continuous and unrelenting efforts of the entire community (educators, students, and parents) working together.

Reports shall be made immediately to a teacher, counselor or building administrator and should include the identity of the alleged victim and the person accused; the location, date, time and circumstances surrounding the alleged incident; a description of what happened and any other evidence. Reports received shall be forwarded immediately to the Director of Schools under a confidential cover. Failure to forward any harassment or sexual harassment report or complaint as provided herein will result in disciplinary action. If the complaint involves the Director of Schools, it shall be forwarded to the Board of Education.

If a complaint made by a student is given verbally, the teacher, counselor, or building administrator receiving the report shall reduce it to a written form within twenty-four (24) hours and forward it to the Director of Schools under a confidential cover. The complaint should include the identity of the alleged victim and the person accused; the location, date, time and circumstances surrounding the alleged incident; a description of what happened and any other evidence.

### INVESTIGATION AND RECOMMENDATION

By authority of the school system, the Director of Schools or his designee, upon receipt of a report or complaint alleging harassment or sexual harassment, shall immediately authorize a prompt, adequate, and impartial investigation by a complaint manager or his or her designee.

The complaint manager will investigate the complaint or appoint a qualified person to undertake the investigation on his or her behalf. The complaint and identity of the complainant will not be disclosed except (1) as required by law or this policy; or (2) as necessary to fully investigate the complaint; or (3) as authorized by the complainant. The complaint manager shall make a written report of his or her findings to the Director of Schools within twenty (20) working days of the filing of the complaint. The twenty (20) day period may be extended by Director of Schools or the Board if the investigation warrants the extension. If a complaint contains allegation involving the Director of Schools, the written report shall be filed with the Board.

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.

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1 The investigation shall also consist of any other methods and documents deemed pertinent by the  
2 investigator.

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4 In addition, the school system shall take immediate steps to protect the complainant, students,  
5 and employees pending completion of an investigation of alleged harassment or sexual  
6 harassment.

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

### 12 13 SCHOOL DISTRICT ACTION

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15 Upon receipt of the complaint manager's report, the school system shall take such action as is  
16 appropriate based on the results of the investigation. The result of the investigation for each  
17 complaint filed under these procedures shall be reported in writing to the complainant by the  
18 school system within five (5) working days of the receipt of the report.

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20 Any school system action taken pursuant to this policy will be consistent with requirements of  
21 federal law, Tennessee statutes, and school system policies. The school system will take such  
22 disciplinary action it deems necessary and appropriate, including warning, suspension, expulsion  
23 or immediate discharge, to end harassment or sexual harassment and prevent its recurrence. The  
24 school system shall take such other steps as are necessary to prevent recurrence of the  
25 harassment and/or discrimination and shall keep the complainant informed of the status of the  
26 complaint.

### 27 28 RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES

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30 These procedures do not deny the right of any individual to pursue other avenues of re- course  
31 which may include filing charges with the Tennessee Department of Human Rights, initiating  
32 civil action, filing a complaint with the Office of Civil Rights of the United States Department of  
33 Education, or, in certain instances, seeking redress under state statutes.

### 34 35 SEXUAL HARASSMENT AS SEXUAL ABUSE

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

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Cross Reference:

6.304 Student Discrimination