

EXPLANATORY NOTES

POLICY TITLE	REASONS FOR CHANGE
<p style="text-align: center;">Student Discrimination/Harassment and Bullying/Intimidation</p> <p style="text-align: center;">(6.304)</p>	<p>A new statute was enacted by the Tennessee legislature in 2005 requiring that LEAs adopt a policy prohibiting student harassment, intimidation or bullying.</p> <p>T.C.A. Sec. 49-6-1015 states that, "As used in this Act, 'harassment, intimidation or bullying' means any act that substantially interferes with a student's educational benefits, opportunities or performance, that takes place on school grounds, at any school-sponsored activity, on school-provided transportation, or at any official school bus stop, and that has the effect of:</p> <ol style="list-style-type: none"> (1) Physically harming a student or damaging a student's property; (2) Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property; or (3) Creating a hostile educational environment." <p>School districts are encouraged to develop the policy after consultation with parents and guardians, school employees, volunteers, students, administrators and community representatives. The legislation requires that the adopted policy be forwarded to the Commissioner of the Department of Education before January 1, 2006.</p> <p>Many of the recommendations for the new policy are similar to the present policy 6.304 on Discrimination/Harassment of Students (Sexual, Racial, Ethnic, Religious). (<i>See attached</i>, Public Acts, 2005 Chapter No. 202). Therefore, it is recommended that the new policy and the previous one be combined into one policy. (<i>See attached</i>).</p> <p>Legal References:</p> <p>T.C.A. Sec. 49-6-1014-1019. (Public Acts, 2005, Chapter No. 202).</p>