

## HARASSMENT, SEXUAL HARASSMENT, DISCRIMINATION, INTIMIDATION, BULLYING OR CYBERBULLYING

### I. PURPOSE

To prohibit harassment, sexual harassment, discrimination, bullying, intimidation, and cyber-bullying and outline guidelines for identifying, addressing and disciplining student harassment, sexual harassment, discrimination, bullying, intimidation, or cyber-bullying.

### II. SCOPE

This policy applies to all Shelby County Schools students and district employees, and other third parties as it relates to interactions with or between students.

### III. DEFINITIONS

Tennessee Code Annotated

**Harassment, intimidation, bullying or cyberbullying**<sup>1</sup> - acts that substantially interfere with a student's educational benefits, educational opportunities, or educational performance, and:

1. If the act takes place on school grounds, at any school-sponsored activity, on school-provided equipment or transportation, or at any official school bus stop, the act has the effect of:
  - a. Physically harming a student or damaging a student's property;
  - b. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property;
  - c. Causing emotional distress to a student or students; or
  - d. Creating a hostile educational environment.

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<sup>1</sup> Cyberbullying means bullying undertaken through the use of electronic devices. "Electronic devices" includes, but are not limited to, telephones, cellular phones or other wireless telecommunication devices, personal digital assistants, computers, electronic mail, instant messaging, text messaging and websites.

Or

2. If the act takes place off school property or outside of a school-sponsored activity, it is directed specifically at a student or students and has the effect of creating a hostile educational environment or otherwise creating a substantial disruption to the educational environment or learning process.

Title IX of the Education Amendments of 1972 (Title IX) specific definitions

**Complainant** means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

**Consent** is:

- Informed - A person must understand the who, what, when, where and nature of the activity.
- Active - Verbal or nonverbal actions that clearly show willingness to participate in the activity.
- Voluntary - Consent is freely given without the use of force, coercion, manipulation, or threats.
- Ongoing - A person can revoke consent at any time, even during the occurrence of an act.
- A person cannot give consent if they:
  - Are incapacitated from voluntary or involuntary drug or alcohol use;
  - Are asleep or unconscious;
  - Have a physical, developmental, or cognitive difference that prevents them from understanding what is happening; or
  - Are a minor who, under state law, is below the minimum age to consent to sexual activity under the circumstances, even if the minor welcomed the sexual activity.

**Discrimination** means unlawful treatment, including harassment and sexual misconduct, toward an individual based on classifications protected by state and federal laws which includes but is not limited to discrimination based on sex, gender identity/expression, sexual orientation, or gender expression.

**Formal Complaint** means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment. The formal complaint must contain the complainant's physical or digital signature. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the District with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail.

**Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

**Sexual harassment** means conduct on the basis of sex that satisfies one or more of the following:

- I. An employee of the District conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;
- II. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
- III. Activity that meets the following definitions of sexual assault, dating violence, domestic violence, or stalking:
  - A. "Sexual assault" which means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. Specifically, these are offenses that meet the definition of rape, fondling, incest, or statutory rape. Sexual assault includes:
    1. Rape, defined as penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
    2. Fondling, defined as the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
    3. Incest, defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
    4. Statutory rape, defined as sexual intercourse with a person who is under the statutory age of consent.
  - B. "Dating violence" which means violence committed by a person
    1. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
    2. where the existence of such a relationship shall be determined based on a consideration of the following factors:
      - a) The length of the relationship.
      - b) The type of relationship.
      - c) The frequency of interaction between the persons involved in the relationship.
  - C. "Domestic violence" which includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. or

- D. "Stalking" which means engaging in a course of conduct directed at a specific person that would cause a reasonable person to--
1. fear for his or her safety or the safety of others; or
  2. suffer substantial emotional distress.

Sexual harassment includes but is not limited to:

1. Conduct that has the purpose or effect of having a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment.
2. Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress.
3. Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student.
4. Submission to or rejection of the conduct by the student is used as the basis for any decision affecting the student regarding benefits and services, honors, programs, or activities available at or through any district program or activity.
5. Unwelcome leering, sexual flirtations, or propositions.
6. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions.
7. Graphic verbal comments about an individual's body, unwanted sexual comments or questions, or overly personal conversation.
8. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature.
9. Spreading sexual rumors.
10. Teasing or sexual remarks about students enrolled in a predominantly single-sex class or activity.
11. Unwanted massaging, grabbing, fondling, stroking, or brushing the body.
12. Touching an individual's body or clothes in a sexual way.
13. Impeding or blocking an individual's movements or any physical interference with school activities when directed at an individual on the basis of sex or gender expression.
14. Displaying sexually suggestive objects.
15. Electronic communications containing comments, words, or images described above, including interactions and posts on social media.
16. Harassment based on gender identity, gender expression, transgender status, stereotypical ideas of gender or a failure to conform to gender stereotypes.

**Supportive Measures** means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, restrictions on contact between the parties, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The District must maintain as confidential any supportive measures provided to the complainant or respondent,

to the extent that maintaining such confidentiality would not impair the ability of the District to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

#### **IV. POLICY STATEMENT**

Shelby County Schools (hereafter referred to as the “District”) acknowledges that complex societal and historical factors may contribute to inequity within the District and that all harassment, including sexual harassment, devalues all students, undermines students’ physical safety, impedes students’ ability to learn, and reinforces social inequality. Therefore, the District shall enact and enforce this policy as an act of commitment to (1) ensuring that all students have the right to attend school free from sex-based discrimination which includes sexual harassment, (2) maintaining a safe school environment that is free from harassment and discrimination where students are treated with civility and respect, (3) eliminating sex-based discrimination, harassment, and misconduct and repairing the harm it causes to individuals and to school communities through age-appropriate preventative and responsive strategies that empower survivors of harassment, ensure school safety, and support positive behavioral change; (4) providing support and encouragement to victims of sexual harassment in reporting potential violations of District policy; and (5) providing due process to those accused of violating this policy.

For additional guidance specific to discrimination please refer to SCS Board Policy 1009 Non-Discrimination Statements.

##### **A. Prohibited Conduct**

The following conduct will not be tolerated

- Student harassment, sexual harassment, discrimination, intimidation, bullying or cyberbullying.

A notice of nondiscrimination shall be published in all District schools in accordance with Title IX requirements.

- Conduct aimed at defining a student in a sexual manner
- Conduct impugning the character of a student based on allegations of sexual promiscuity.
- Conduct motivated by any actual or perceived characteristic, including but not limited to, race, color, religion, ancestry, national origin, sex, sexual orientation, gender identity and expression, a mental, physical or sensory disability, socio-economic or familial status

The District will take steps to prevent recurrence of any substantiated harassment.

##### **B. Reporting**

Alleged victims of harassment, intimidation, bullying, or their parents or guardians shall report these incidents immediately to the Principal or building level administrator. Any reports made to staff should be forwarded to the Principal or building level administrator immediately but no later than 24 hours of the expressed concern. Anonymous reports may be made; however, disciplinary action may not be based solely on an anonymous report. Formal complaints of sexual harassment may be filed with the Title IX

Coordinator in person, via mail, or electronic mail at the contact information listed below:

- SCS Title IX Coordinator
- [titleix@scsk12.org](mailto:titleix@scsk12.org)
- 901-416-5417
- 160 S. Hollywood Street, Memphis, TN 38112

Community resources as outlined in the accompanying administrative rules and regulations are also available for community members who need assistance.

Additionally, The Shelby County Board of Education has adopted the “Safe School Tips” program which allows any parent, student, teacher, or employee to report information about illegal or inappropriate activities, including but not limited to bullying, sexual harassment, discrimination, theft, distribution or sale of drugs, possession of weapons, etc.

“**Safe-School Web-Tips**” should be sent to <http://www.tipsubmit.com> or text to 274637, you will then be asked to type in a “code”, the code is **SCS**, then start typing the text message.

Any complaints of harassment, intimidation or bullying should include the following information:

- Identity of the alleged victim and the person accused;
- Location, date, time and circumstances surrounding alleged incident;
- Description of what happened;
- Identity of witnesses; and
- Any other evidence available.

### **C. Investigation**

1. If the complainant is not the parent or guardian, the parents/guardians of alleged victim shall be notified immediately by the Principal or his/her designee of the reported conduct by phone or in person and informed of the availability of counseling and support services that may be necessary. The Principal or his/her designee shall initiate the investigation within 48 hours of receipt of the report, unless the need for more time is appropriately documented. The Principal or his/her designee will revisit substantiated incidents and all follow-up efforts conducted will be appropriately documented.

2. The Principal or his/her designee shall complete the investigation and initiate an appropriate intervention as soon as possible, but no later than within 20 calendar days from receipt of the report, unless the need for more time is appropriately documented.

3. After a complete investigation, if the allegations are substantiated, immediate and appropriate corrective or disciplinary action shall be initiated pursuant to the Shelby County Board of Education's Discipline Policy if the offender is a student. A substantiated charge against a student may result in corrective or disciplinary action up to

and including expulsion. Additionally, under state law, behavior constituting cyber-bullying may be prosecuted as a delinquent act.

If the offender is an employee, a substantiated charge may subject such employee to disciplinary action up to and including termination.

4. The Principal or his/her designee will meet with and advise the complainant and their parent/guardian regarding the findings, and whether corrective measures, and/or disciplinary actions were taken.

**D. Referral Procedure for Involved Students**

A procedure for a referral for appropriate counseling and support services for students involved in an act of harassment, sexual harassment, discrimination, intimidation, bullying, or cyber-bullying shall be developed and implemented by the Superintendent or designee and provided in the administrative rules and regulations to this policy.

**E. Grievance Procedure**

The District shall establish a grievance procedure to promptly and equitably resolve complaints that are based on allegations of sexual harassment and/or in violation of Title IX or District policies that prohibit these types of discrimination. Such procedures shall be outlined in the accompanying administrative rules and regulations and published in all District schools in accordance with Title IX requirements.

**F. Right of Appeal – Students/Parents**

1. Student (Parent/Guardian) Perpetrator

Any student disciplined pursuant to this policy may appeal the decision in accordance with Shelby County Board of Education’s disciplinary policies and procedures.

2. Student (Parent/Guardian) Victim (Complainant)

- a. If the complainant is not in agreement with the Principal's or his/her designee's decision the complainant may, within five (5) school days, contact the Shelby County Schools' Federal Rights Coordinator (FRC) at 2800 Grays Creek Drive, Arlington, Tennessee 38002; Telephone (901) 473-2575. Within five (5) school days the “FRC” or his/her designee will review the investigation of the alleged charges. Upon completion of the review, the “FRC” will meet with and advise the complainant regarding the findings, and whether corrective measures, and/or disciplinary actions were taken.
- b. If the complainant is not in agreement with the findings of the “FRC”, an appeal may be made, within five (5) school days, to the Superintendent. Within five (5) school days, the Superintendent will review the investigation and provide a written advisory to the complainant whether corrective measures and/or disciplinary actions were taken.

### **G. Right of Appeal – Employees**

An employee disciplined pursuant to this policy may appeal the decision by contacting the Federal Rights Coordinator (FRC) at 160 South Hollywood, Memphis, Tennessee 38112; Telephone (901) 416-5323.

### **H. Procedures for Other Prohibited Conduct**

The procedure outlined above shall also be followed in cases in which a student is the subject of

- Conduct aimed at defining a student in a sexual manner
- Conduct impugning the character of a student based on allegations of sexual promiscuity
- Conduct motivated by any actual or perceived characteristic, including but not limited to, race, color, religion, ancestry, national origin, sex, sexual orientation, gender identity and expression, a mental, physical or sensory disability, socio-economic or familial status

### **I. Retaliation Prohibited**

There will be no retaliation against any person who reports harassment, intimidation bullying or cyberbullying, or sexual harassment or participates in an investigation. However, any employee who gives false information during the course of any investigation or who retaliates against someone for: (a) truthfully reporting harassment, intimidation bullying or cyberbullying or (b) participating in an investigation of allegations of harassment, intimidation bullying or cyberbullying may be subject to disciplinary action up to and including termination if the offender is an employee and pursuant to the Shelby County Board of Education's Disciplinary Policy if the offender is a student.

This policy shall appear in the Parent/Student Handbook distributed annually to every student.

### **J. Report to Superintendent and Board of Education Chairman**

Following any investigation of harassment, bullying, intimidation or cyber-bullying, the principal (or designee) shall report the findings, along with any disciplinary action taken, to the Superintendent and the Chairman of the Board of Education.

### **K. Report to the State Department of Education**

Beginning August 1, 2016, and annually, thereafter, the school district shall prepare and submit to the State Department of Education in the format provided by department a report which shall include the following:

1. The number of harassment, intimidation, bullying or cyber-bullying cases brought to the attention of school officials during the preceding year;
2. The number of harassment, intimidation, bullying or cyber-bullying cases where the investigation supported a finding that bullying had taken place;
3. The number of harassment, intimidation, bullying or cyber-bullying case investigations not initiated within 48 hours of the receipt of the report and the reason;



4. The number of harassment, intimidation, bullying or cyber-bullying cases where appropriate intervention was not initiated within 20 calendar days of receipt of the report and the reason why the intervention took longer to initiate; and
5. The type of harassment, intimidation, bullying or cyber-bullying identified and the manner in which the cases were resolved, including any disciplinary action against the student perpetrator.

**L. Training**

On an annual basis, District personnel shall receive training on this policy. Title IX related training shall be posted on the District’s Title IX website. All materials used in training will be available on the District’s website and also can be made available for public inspection at the District Offices.

**IV. RESPONSIBILITY**

A. Principals or building level administrators are responsible for ongoing education, formal and informal, regarding this policy and procedure in the building in which they work.

B. The Shelby County Board of Education's Federal Rights Coordinators are responsible for ensuring this policy is implemented. For Title IX matters, the Title IX Coordinator is responsible for ensuring that Title IX policy and procedures are implemented.

C. The Superintendent is responsible for ensuring that this policy is followed.

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Legal References:

1. T.C.A. 49-6-1015
2. T.C.A 49-6-1016
3. T.C.A. 39-17-308
4. 20 U.S.C. §§ 1681-1688
5. 34 CFR Part 106
6. 20 U.S.C. 1092(f)(6)(A)(v)
7. 34 U.S.C. 12291(a)(30)
8. 34 U.S.C. 12291(a)(8)

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Cross References:

1. 6022 Student Conduct
2. 7005 Mandatory Reporting of Criminal Offenses
3. 1009 Nondiscrimination Statemen

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**HARASSMENT, SEXUAL HARASSMENT, DISCRIMINATION, INTIMIDATION,  
BULLYING OR CYBERBULLYING**

**A. Prevention Training**

**1. Professional School Counselors and Staff**

Orientation on SCS policy 6046 Harassment, Intimidation, Bullying or Cyber-Bullying shall be provided at the beginning of each school year for all Professional School Counselors that serve as their school's Positive Behavioral Intervention and Support (PBIS) Internal Coach. The orientation will include information on the definition and signs of bullying, harassment, and intimidation and recommended prevention strategies for both staff and students. Additionally, responsibilities for reporting, investigating, and issuing progressive disciplinary consequences in accordance with Board policy shall be discussed.

Upon the completion of orientation, Professional School Counselors are required to provide the same orientation to school staff.

**2. Students**

Each school year, teachers shall provide an orientation to their students regarding safety at their school. The orientation shall include the steps a student should take if he/she is being harassed, bullied, or intimidated; the steps required of any staff who receives a report of a student being harassed, bullied, or intimidated; and the steps that will be taken to address the alleged perpetrator.

Also, at the beginning of each school year, schools shall administer a Student Code of Conduct test to students, which includes questions related to harassment, bullying, intimidation and cyber-bullying.

**B. Support Services – Counseling, Interventions and Discipline**

Support Services are available for victims of harassment, bullying, intimidation, and cyber-bullying as well as interventions and targeted discipline for alleged bullies.

**1. Victim Support Services**

Victims of harassment, bullying, intimidation or cyber-bullying shall be provided services by the Professional School Counselor and extend to, when deemed necessary and appropriate, Mental Health services such as individual or group sessions with a School Social Worker. In the event a victim requires services beyond those the district's

Professional School Counselor or Mental Health Staff can deliver, he/she shall be referred to community-based agencies for additional assistance. Additionally, placement alternatives may be explored in accordance with applicable policies and administrative rules and regulations contained in 6002 School Admissions (transfers).

2. Perpetrator Support Services/Discipline

Students exhibiting bullying behavior and/or determined to have harassed, bullied, or intimidated another student shall receive support services and the appropriate discipline and/or interventions in accordance with policy 6022 Student Conduct. Support services shall be provided through the school's Professional School Counselor. Services may include Functional Behavior Assessments, Threat Assessments, and individual sessions with the Professional School Counselor or a School Social Worker. Also, students may be referred to the school S-Team for additional services. Upon recommendation from the school S-Team, students may be evaluated by a licensed School Psychologist for assessment and placement.

Targeted discipline for alleged bullies include all of the administrative actions outlined in the SCS Student Code of Conduct (see 6022 Student Conduct), up to and including suspension or expulsion. Schools may also provide check-in/check-out services for alleged bullies to assist in monitoring their behavior. In cases where a student's bullying behavior is severe and he/she is expelled from school, the principal can request that a Threat Assessment be conducted at the Pupil Services Center with the student before he/she is allowed to return to the school. Additionally, placement alternatives may be explored in accordance with applicable policies and administrative rules and regulations contained in 6002 School Admissions (transfers).

C. Grievance Procedure for Title IX Formal Complaints:

These procedures apply only to formal complaints alleging discrimination prohibited by Title IX.

1. **When grievance procedure triggered.** The filing of a formal complaint with the District's Title IX Coordinator triggers this grievance procedure.
2. **Presumption of no responsibility.** For purposes of this grievance procedure, there is a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
3. **Standard of evidence.** The standard of evidence to be used in these grievance procedures is a preponderance of the evidence standard.
4. **Burden of proof.** The burden of proof and the burden of gathering evidence sufficient during to reach a determination regarding responsibility rests with the District, and not with the parties.

5. **Notice of allegations.** Upon receipt of a formal complaint, the District will provide written notice to the parties who are known, including:
  - a. Notice of the grievance process that complies with this section.
  - b. Notice of the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known.
  
6. **Dismissal of formal complaint.** The District will investigate the allegations in a formal complaint. The following are circumstances where dismissal may occur.
  - a. **Must dismiss.** If the conduct alleged in the formal complaint would not constitute sexual harassment as defined in this policy even if proved, did not occur in the District's program or activity, or did not occur against a person in the United States, then the District must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment. Such a dismissal does not preclude action under another provision of the District's code of conduct or disciplinary measures.
  - b. **May dismiss.** The District may dismiss the formal complaint or any allegations therein, if at any time during the investigation:
    - i. A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
    - ii. The respondent is no longer enrolled or employed by the recipient;
    - iii. Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.
  - c. **Notice of dismissal.** If a formal complaint is dismissed, the District will promptly send written notice of the dismissal and reason(s) why simultaneously to the parties.
  
7. **Investigation of a formal complaint.** When investigating a formal complaint, parties will:
  - a. Have an equal opportunity for to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
  - b. Have equal opportunities to have an advisor of their choice, who may be, but is not required to be, an attorney, and not have limited choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding;

- i. The District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;
  - c. Receive written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings with sufficient time for the party to prepare to participate;
  - d. Have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.
  - e. Receive a copy of the evidence under consideration in the investigation prior to conclusion of the investigation. This copy will be either in electronic format or hard copy. The parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report.
  - f. Receive an investigative report that summarizes relevant evidence.
  - g. Following receipt of the investigative report, have 10 days to provide a written response to the investigative report prior to the decision maker rendering a decision on the investigative report.
8. **Hearings.** Live hearings will not be included as part of the District's Title IX grievance process.
9. **Determination of responsibility.** The decision-maker will issue a written determination regarding responsibility. To reach this determination, the decision maker will use the preponderance of the evidence standard. The written determination will be provided to both parties simultaneously and will include:
- a. The allegations potentially constituting sexual harassment;
  - b. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
  - c. Findings of fact supporting the determination;
  - d. Conclusions regarding the application of the recipient's code of conduct to the facts;

- e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the recipient imposes on the respondent, and whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided to the complainant; and
  - f. The District's procedures and permissible bases for the complainant and respondent to appeal.
10. **Appeals.** Both parties have the opportunity to appeal a determination regarding responsibility, and from a dismissal of a formal complaint, on the following bases:
- a. Procedural irregularity that affected the outcome of the matter;
  - b. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
  - c. The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
  - d. Any appeal must be submitted to the appeals decision-maker within five days of the determination or dismissal. The decision maker on appeal cannot be the decision-maker on the initial determination of responsibility, the investigator, or the Title IX Coordinator. Within five days of submission of the appeal, the decision-maker will make a determination. The decision-maker for the appeal will:
    - e. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the initial determination;
    - f. Issue a written decision describing the result of the appeal and the rationale for the result; and
    - g. Provide the written decision simultaneously to both parties.

### C. Community Resources

The following community resources are suggested for community members who need assistance:

- Department of Children's Services
  - <https://www.tn.gov/dcs.html>
  - Main Office
    - 40 South Main Street, Suite 600  
Memphis, TN 38103  
901-578-4001
  - Regional Offices
    - Child Protective Services Assessments and Investigations  
1925 South Third Street  
Memphis, TN 38109  
(901) 947-8800 (901) 947-8956
- Shelby County Sheriff's Office

- <https://www.shelby-sheriff.org/>
  - 201 Poplar Ave, Memphis, TN 38103
  - (901) 222-5500
  - Submit A Tip
- Memphis Police Department
  - <https://www.memphispolice.org/>
  - 170 North Main Street, Memphis, TN 38103
  - Office: (901) 636 - 3700
  - Non-Emergency: (901) 545 - COPS
  - TTY: (901) 543 - 2709
  - Submit A Tip
- Family Safety Center
  - <https://familysafetycenter.org/>
  - 1750 Madison Ave #600, Memphis, TN 38104
  - (901) 222-4400
- Crime Victims and Rape Crisis Center
  - <https://shelbycountyttn.gov/737/Crime-Victims-Rape-Crisis-Center>
  - 1060 Madison Avenue  
Memphis, TN 38104
  - Office: (901) 222-3950
  - 24-Hour Sexual Assault Hotline:  
901-222-4350 (answered after-hours by the Memphis Crisis Center)
- Domestic Violence Resources
  - YWCA
    - <https://www.memphisywca.org/>
    - 766 S. Highland Street, Memphis, TN 38111-4249
    - Phone: (901) 323-2211
  - CAAP Domestic Violence Program
    - <http://www.caapincorporated.com/domestic-violence-program/>
    - Hotline: (901) 272 - 2221
- National Suicide Prevention Hotline
  - <https://suicidepreventionlifeline.org/>
  - 1-800-273-8255
- RAINN - Rape, Abuse, and Incest National Network
  - <https://www.rainn.org/>
  - Hotline: (800) 656 - HOPE (4673)