



Bullying and Harassment Compliance Report

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Tennessee Department of Education | January 2023



Introduction

The Tennessee Department of Education agrees with the General Assembly that “a safe and civil environment is necessary for students to learn and achieve high academic standards.”¹ The department recognizes the negative effects that bullying and harassment have on students, their educational achievement, and their overall growth. Bullying and harassment have no place in our schools, and the department is dedicated to responsibly and effectively addressing bullying and harassment in Tennessee public schools.

Based on the information available to the department, each local education agency (LEA)² in Tennessee satisfied the requirements of the state bullying and harassment laws (Tenn. Code Ann. § 49-6-4501 through § 49-6-4506) and submitted bullying compliance information to the department on its compliance report form for the 2021-22 school year.³ The bullying compliance information for each LEA is included in the attached Appendix.

Total Number of Bullying Cases Reported Statewide

According to the data submitted to the department, 10,112 cases of bullying were reported to LEAs during the 2021-22 school year. Approximately forty-seven percent (47%) of those cases – 4,704 – were confirmed as bullying after an investigation.

2021-22 Tennessee Bullying Cases		
Total number of bullying cases reported in the 2021-22 school year	10,112	
Total number of confirmed cases of bullying	4,704	47%
Total number of confirmed cases involving race, color, or national origin	590	5.8%
Total number of confirmed cases involving sex or gender	883	8.7%
Total number of confirmed cases involving disability	143	1.4%
Total number of confirmed cases involving the use of electronic technology	1,000	9.9%
Total number of cases still pending	31	<0.5%

¹ Tenn. Code Ann. § 49-6-4501.

² Reference to LEAs includes all Tennessee school districts and the state special schools (Alvin C. York Agricultural Institute, Tennessee School for the Blind, Tennessee School for the Deaf, and West Tennessee School for the Deaf).

³ Prior to the passage of the state bullying laws, the Department annually collected civil rights compliance information from LEAs in order to comply with federal civil rights laws. To facilitate the submission of all compliance information, the Department merged the compliance information into one document – the Civil Rights and Bullying Compliance Report. LEA-specific information is included as an appendix to this document.

Discussion

While every child must learn how to interact with others and deal with difficult situations, no child should have to tolerate bullying or harassment. Although several definitions exist, under Tennessee law, “harassment, intimidation, or bullying” is any act that substantially interferes with a student's educational benefits, opportunities, or performance and:

- 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:
 1. physically harming a student or damaging a student's property;
 2. knowingly placing a student or students in reasonable fear of physical harm to the student or damage to the student's property;
 3. causing emotional distress to a student or students; or
 4. creating a hostile educational environment; or

- 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 education environment or learning process.⁴

“Cyber-bullying” is defined as bullying undertaken through using electronic devices.⁵

The 2021-22 school year saw an *increase* in the number of bullying cases reported, as well as the number of confirmed bullying cases. This is the first time in three years that there has been an increase in bullying cases. During the 2020-21 school year, there were 5,355 bullying cases reported and 2,012 confirmed cases of bullying. And during the 2019-20 school year, there were 8,590 bullying cases reported and 3,917 confirmed cases of bullying. The 2021-22 school year reports indicate the number of confirmed bullying cases has more than doubled.

The department continues to solicit feedback from LEAs and continues to assess what steps are needed to reduce bullying moving forward. The department suspects the increase in the number of confirmed bullying cases during the 2021-22 school year could be explained by several factors. These factors may include:

1. A return to in-person attendance norms following the COVID-19 pandemic. More students

⁴ Tenn. Code Ann. § 49-6-4502(3)(A)-(B).

⁵ Tenn. Code Ann. § 49-6-4502(1).

attending in-person classes results in fewer students participating in online and virtual learning opportunities offered by LEAs.

2. An increase in reporting as LEAs continue to receive training on bullying and harassment. These numbers could also suggest that students, parents, and LEA staff are becoming more aware of the fact that bullying is prohibited and must be reported and are improving in their ability to distinguish between peer conflict and bullying. These numbers may demonstrate students being more comfortable and willing to report bullying conduct than in prior years.
3. Additionally, the increase in reported bullying may correlate with outside factors that this report does not capture such as changes in LEA personnel and increased stress students may face outside of the school setting.

In school years 2015-16 to 2021-22, the gap between the number of reported cases of bullying and the number of confirmed cases of bullying was significant. Last year, for example, there were 3,343 cases where bullying was reported but was not confirmed—around sixty-two percent (62%) of all reported cases. In the 2021-22 school year, the disparity between reported cases and cases where bullying occurred numbered 5,408 cases—nearly ten percentage points less.

It should be noted that these numbers trend closely with pre-COVID-19 pandemic data, specifically data from the 2017-18 and 2018-19 school years. In the 2017-18 school year, there were 12,463 total cases. Approximately fifty-three percent (53%) – 6,653 – of these cases were confirmed. Likewise, in the 2018-19 school year, there were 10,934 reported bullying cases, and 5,914 (approximately fifty-four percent (54%)) of these cases were confirmed as bullying after an investigation.

As noted in prior reports, many students, parents, teachers, and administrators struggle with distinguishing peer conflict from bullying and other types of peer abuse. It is not uncommon for parents to refer to a situation as bullying when the facts instead indicate teasing or other peer conflict. Therefore, the gap between reported and confirmed cases of bullying could be attributed to people assigning the term bullying to a situation that does not factually meet the legal definition of bullying. This highlights the need for additional community education on identifying and reporting bullying. Continued education and training will aid students, staff, administrators, and community members to accurately identify behavior as bullying, harassment, intimidation, or cyberbullying versus simple peer-to-peer conflict or childish behavior.

The use of technology is necessary in today's educational environments. The increase of use of social media and technology has changed the way educators teach, how students learn, and the way teachers and students communicate. According to the Cyberbullying Research Center, forty-five and five tenths' percent (45.5%) of middle and high school students reported being the target of cyberbullying nationwide.⁶ Given the ubiquity of cellphones, social media, and increased integration of technology in the classroom, it is anticipated that instances of cyberbullying will

⁶ Justin W. Patchin, Cyberbullying Research Center, *Summary of Our Cyberbullying Research (2007-2021)*, <https://cyberbullying.org/Cyberbullying-Research-In-Review.pdf> (June 22, 2022).

continue to increase.

Therefore, schools and LEAs must balance the inclusion of technology in schools with maintaining a safe environment for students to use technology. The Tennessee General Assembly has recognized the importance of incorporating safe technology practices in education, stating that “[t]he use of telephones, cellular phones or other wireless telecommunication devices, personal digital assistants (PDAs), computers electronic mail, instant messaging, text messaging, and websites by students in a manner that is safe and secure is essential to a safe and civil learning environment and is necessary for students to successfully use technology.”⁷ Accordingly, schools, LEAs, and parents must be engaged as partners to teach students to use and engage with technology appropriately and responsibly. Parents are encouraged to pay attention to what their children do online and set rules and boundaries regarding the use of technology. In addition, school policies regarding the responsible use of technology must be effectively communicated to students and parents.

Notably, there was no significant change in the percentage of bullying cases that used electronic devices. During the 2020-21 school year, at the height of the COVID-19 pandemic, approximately ten and four tenths' percent (10.4%) of confirmed bullying cases involved electronic devices. For the 2021-22 school year, although there was an increase in overall reported cases, the percentage of confirmed cases involving electronic devices remained roughly ten percent (10%) of reported cases. Although the department is pleased to see that this overall percentage did not increase for the 2021-22 school year, the department will continue to monitor these numbers and provide support for LEAs and families as they navigate increased integration of technology in the classroom.

As always, the department remains committed to assisting LEAs in their implementation of initiatives and policies to prevent and address bullying, harassment, intimidation, and cyber-bullying. The department anticipates and remains hopeful that bullying, harassment, intimidation, and cyber-bullying cases will decline in the years ahead. The department trusts that the state anti-bullying and harassment laws, this report, and the attached Appendix will continue to help reduce instances of bullying, harassment, intimidation, and cyber-bullying in Tennessee public schools. The department renews its commitment to improving in this area during the upcoming school years.

⁷ Tenn. Code Ann. § 49-6-4501(4).