

# Westhills Elementary School



1351 West Ellington Parkway

Lewisburg, TN 37091

Phone: (931) 359-3909

Fax: (931) 359-3999

<http://www.wes.marshall.k12tn.net>

**This agenda belongs to:**

Name: \_\_\_\_\_ Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_

Dear Parents/Guardians,

Welcome to the 2016-17 school year at Westhills Elementary. We are honored to be a part of your child's education this year. Our team of teachers and staff at Westhills is dedicated to helping every child reach his or her potential and develop socially, emotionally, and academically. We appreciate your support in this process, and we look forward to frequent communication with you.

The following pages contain information about policies, services, rules, and procedures that you and your child will need to know. Please take a few minutes to go through this information with your child.

This agenda also contains places for your child to write his or her assignments each day. Please look at this daily since teachers will also use this agenda to communicate with you. We will communicate frequently through this agenda, notes/folders home, emails, all-calls, and the school website.

We look forward to working with you and your child this year! Please call the school at (931) 359-3909 if you have any questions or concerns about any aspect of your child's schooling.

We look forward to a successful year!

Sincerely,

Rachel Perryman, Principal

## Westhills Elementary School

### 2016-17 Calendar

August 3	First Half Day (students dismissed at 11:30)
August 5	First Full Day for Students
September 5	No School (Labor Day)
October 6	Parent Teacher Conference (Westhills)
October 7-14	No School (Fall Break)
November 21-25	No School for Students (Thanksgiving Break)
December 20	Half Day (students dismissed at 11:30)
December 21-January 4	No School for Students (Christmas Break)
January 16	No School (Martin Luther King Day)
February 20	No School (Presidents' Day)
March 16	Parent Teacher Conferences (Westhills)
March 20-24	No School (Spring Break)
April 14	No School (Good Friday)
May 24	Half Day (students dismissed at 11:30—last day of school)

\*\*\*We will have many school events to add to this calendar. This calendar serves to let you know when we have school and when we do not.

## **Westhills Elementary School Vision**

We are here to LEARN!

**L**earners are...

**E**nthusiastic

**A**chievers who are

**R**esponsible with

**N**o excuses!

At Westhills, we are dedicated to exceptional teaching and learning, where:

Students are motivated to learn, respectful and compassionate toward others, and willing to take responsibility for their own learning.

Parents make learning a priority and are supportive in setting realistic expectations for their children and the school system.

Teachers exhibit professionalism and enthusiasm while continuing to learn and grow, and are vested in student learning.

The school organization uses consistent rules and procedures while leveraging teachers' strengths to maximize student learning.

## **Westhills Elementary School Mission**

The mission of Westhills is to provide an exemplary education and a nurturing environment where each student is valued, supported, and encouraged to achieve a high level of academic, social, and personal success.

## Westhills Elementary School Student Handbook

- **Accidents:**
  - The parent will be called at the number(s) you have provided in the event that an accident occurs. **Please keep phone contact numbers up to date. Notify the office when you have a change in phone number.** Minor accidents are often handled by a note home or a phone call by the teacher or nurse.
- **Attendance**
  - All students are expected to be in attendance each day unless they are ill or a family emergency arises. **A written note explaining each absence is required upon return to school.** Any absence for which a written explanation is not provided will be considered unexcused. Unexcused absences are treated as trancies and will be handled according to the School Board's truancy policy. **Five unexcused absences are reported to the Attendance Supervisor and the Juvenile Court.** Absences are recorded as either excused or unexcused. An absence is excused for personal illness, court appearance, or funeral of a family member. Other reasons may be excused or unexcused at the discretion of the administrator. Families are strongly discouraged from taking children out of school for any reason other than family emergencies. Tennessee State Law requires that a student be in attendance for at least one half of the school day (3 ½ hours) in order to be counted present. State law permits abbreviated days (11:30 days). Dates are selected to accommodate teacher and parent needs, and attendance must be taken on these days. To be counted present on an abbreviated day, a student must stay 46 minutes.
  - **Frequent tardiness is damaging to your child's learning.** Students are sent to class at 7:35 a.m. Any student not **in class** at 7:50 a.m. is tardy and must come to the front office to get a tardy note in order to be admitted to class. **Parents should accompany tardy students to the office to explain the tardiness.** See Marshall County Board of Education Attendance Policy for Elementary Schools 6.200 at the back of this handbook for more information.
  - **Early pick-ups (check-outs) are disruptive and should be avoided unless there is an unavoidable reason for checking out.** If you must check a student out early, you must come into the school office to sign the student out.
  - Homework assignments can be picked up **after 2:00** if you have called ahead and provided sufficient notice to teachers that you need your child's assignments. We simply need time to gather materials and assignments from all classes without interrupting instructional time.
  - Attendance awards are given at the end of the year for students who have not missed a day. Please remember that tardies and early checkouts are cumulative and could add up to a day's absence.
  - A tardy is defined as a late check in or an early check out from school. **After five (5) unexcused tardies, parents will receive written notice from school as a warning that further unexcused tardies will result in a summons to the Marshall County Schools Tardy Review Board. After a student reaches eight (8) unexcused tardies, parents will be summoned to appear before the Tardy Review Board. After a subsequent unexcused tardy, parents may be charged with Educational Neglect in the Marshall County Juvenile Court.** Please note: Elementary students receive five parent notes per semester. Parent notes can be used for unexcused tardies.
- **Bell Schedule**
  - 7:35 a.m.—Teachers pick up students from gym and cafeteria
  - 7:50 a.m.—School officially begins/class begins
  - 2:50 p.m.—Car Rider Bell
  - 2:55 p.m.—Early Bus Bell
  - 3:05 p.m.—Late Bus Bell
- **Early Arrival**

- School doors open at 6:45 a.m. Children may not be left unattended. You must wait until 6:45 to drop students off.
- **Cell Phones/Electronics**
  - Cell phones and other electronics are only to be used for instructional purposes and must be put away unless the teacher has instructed otherwise. This includes the playground, cafeteria, and gym.
- **Car Riders**
  - Arrival: Car riders should be driven to the appropriate drop off location in the mornings. **Do not load or unload in the zones marked buses only.** Please see the diagram in the back of the handbook for drop off locations. **After 7:50, all students should be accompanied by a parent into the front office.**
  - Dismissal: Car riders are dismissed at 2:50. Place your student's car tag number in the front windshield. (Numbers will be distributed in August.) No walk-ups allowed at dismissal times. Please see diagram in back of handbook for pick up locations. After 3:05, all students are to be picked up at the front office entrance. **All students must be picked up by 3:15 p.m. Please be on time.**
- **Child Custody**
  - Child custody is a decision of the court. A court document dated and signed by a judge must be on file in the school office in order for us to restrict pick up or visitation by either parent. Because family situations change, restrictions must be established each year.
- **Communication between parents and teachers**
  - Please check your child's agenda and homework folder each day. Inform the principal if you do not have communication with your child's teacher. Your role in your child's education is vital, and we want to have frequent and valuable communication with you.
- **Corporal Punishment**
  - Marshall County School Board policy allows parents to restrict the use of corporal punishment on an individual basis. Westhills Elementary requires a written request to restrict the use of corporal punishment by the parent(s) or guardians having legal custody at the beginning of each school year. If a parent wishes to restrict the school from using corporal punishment, they must come to the school immediately if called. In order to prevent any misunderstanding, parents making this request should fill out the provided form and deliver it in person to the school office.
- **School Rules**
  - Westhills Elementary School has a set of school-wide rules that guide the expectations of students:
    - Be respectful
    - Be responsible
    - Follow directions
    - Focus on learning
  - The purpose of these rules is to protect the rights of all students, establish a safe and orderly learning environment in which students can work, learn, and play, and give students guidance on what kinds of behaviors we need them to develop and display.
- **Bullying**
  - Westhills has four bullying guidelines for students to follow:
    - We will not bully others.
    - We will try to help students who are bullied.
    - We will try to include students who are left out.
    - If we know that someone is being bullied, we will tell an adult at school and an adult at home.

- Bullying and harassment are NOT tolerated at Westhills. Students and parents are to report any bullying or harassment to a school employee. All allegations will be thoroughly investigated and addressed in a timely fashion. The allegations and investigation are documented on the district's Bullying and Harassment Form. Incidents of bullying and harassment are reported to the state each year using this form.
- **Dress Code**
  - It is the role of the parent to assist their children in making appropriate choices regarding clothing, accessories, and personal appearance. Students who come to school and are determined by administrators to be inappropriately dressed will have to call home to get a different set of clothing/accessories. Students whose parents refuse or are unable to bring alternative clothing will be placed in in-school suspension for the remainder of the day.
    - Bottom wear must be size appropriate and worn securely around the waist (no sagging).
    - Skirts and shorts must be no more than 4 inches above the knee.
    - Any type of clothing bearing references to alcoholic beverages, tobacco products, drugs, or any slogans or graphics related to sexually inappropriate topics or the aforementioned items are strictly prohibited.
    - Students must bring tennis shoes for play time and physical education. Flip flops are not allowed in physical education classes for safety reasons.
    - No holes in clothing.
    - The building level administrators have the authority to determine what is and is not appropriate for students in their buildings.
    - Please see the Marshall County Board of Education Dress Code Policy 6.310 at the back of this handbook for more information.
- **Emergency Procedures**
  - Fire, tornado, and earthquake drills are practiced at least monthly, per Marshall County Board policy. During an emergency situation in which there is early dismissal, students will be dismissed to the parents unless other directions are available in writing. Students who are not normally picked up by car will ride their buses home. Parents are asked for alternate instructions on the registration form.
- **Field Trips**
  - Students should wear comfortable shoes and dress according to weather conditions on field trips.
  - If a student needs to be checked out from a field trip location, the parent must fill out a form in the front office no later than 3:00 p.m. the day before the field trip (excluding dire emergencies).
  - Students should always wear sunscreen if a field trip or specially scheduled day requires that they be outside for an extended period of time. It is the responsibility of the student and parent to provide sunscreen. The school cannot provide this for students.
- **504**
  - If you feel your child should have a 504 program plan, you can notify the school guidance counselor for information. See the Board policy 1.802 at the back of this handbook regarding Section 504 and ADA Grievance Procedures.
- **Grading System and Report Cards**
  - The evaluation of student achievement is one of the important functions of the teacher. The accepted marking system is as follows:
 

▪ A	Outstanding	93-100
▪ B	Good	85-92
▪ C	Average	75-84
▪ D	Poor	70-74
▪ F	Failure	69 and below

- I Incomplete
- E Excused (used for individual assignments in special situations)

- **Honor Roll**

- Students must receive an A in each subject to be on the A Honor Roll. B Honor Roll is determined by an 85 or above in all subjects.

- **Halls and Bathrooms**

- Running, loud talking, destruction of school property and horseplay is strictly prohibited in the bathrooms and hallways.
- No food, gum, or drinks in the hallways or gym. These can be consumed within classrooms **only with teacher permission.**
- Students are expected to be hygienic in the bathrooms and will be asked to clean up their own messes unless they are physically ill.

- **Head Lice Policy**

- Marshall County Board Policy 6.403: No student will be denied an education solely by reason of head lice infestation. His educational program will be restricted only to the extent necessary to minimize the risk of transmitting the infestation. It shall be the responsibility of the principal or school nurse to notify the parents in the event that a child has pediculosis (head lice and/or nits). A letter will be sent home with the child to explain the conditions, requirements for unconditional readmission, and deadlines for satisfactory treatment of the condition. Upon exclusion, satisfactory evidence must be submitted to school personnel that the student has been treated for pediculosis (head lice and/or nits). This evidence may include but not be limited to:

- (1) proof of treatment with a pediculicide product (head lice shampoo); and
- (2) satisfactory examination by a school health official.

Treatment and prevention procedures will be developed by the director of schools/designee/school nurse and distributed to all classroom teachers. Any subsequent incidents of head lice for that student during the school year will require submission of satisfactory evidence of treatment for head lice and be found free of nits by a school health official. A student will be expected to have met all requirements for treatment and return to school no later than two (2) days following exclusion for head lice and/or nits. All days in excess of the allowable period will be marked an unexcused and referred to the attendance supervisor at the proper time.

- **Lunch and Breakfast Program**

- Breakfast is served daily. Money may be paid in advance to the breakfast account. Students must arrive for breakfast before 7:40.
- Lunch is served daily except for abbreviated days. Lunches may be paid for in advance.
- PayPams (optional) will be utilized again this year so that parents are able to view students' balances and purchases from the cafeteria.
- Prices:
  - Lunches
    - Grades K-8 \$2.35
    - Grades 9-12 \$2.60
    - Adults \$3.25
  - Reduced Breakfast \$0.30
  - Reduced Lunch \$0.40
  - Breakfast
    - Grades K-12 \$1.25
    - Adults \$1.50
  - Extra Milk \$0.40
  - All other extras are posted in the cafeteria by item type and price.
  - Students who qualify for free/reduced lunch must submit paperwork and re-qualify each year. Students will be allowed to charge until the paperwork process is complete.



Free/Reduced lunch forms can be picked up in the office. They are also sent home with each student every year in the registration packet.

- Payment/Charges
  - Students will be notified when charges reach 5 days. A not will be sent home to you. Lunch bills must be paid.
  - Lunch money should be paid directly to the cafeteria, through PayPams, or sent with your child in an envelope clearly labeled with the student's name, the teacher's name, and the amount of money enclosed.
- Students may bring a packed lunch to eat in the cafeteria. Items in the lunch should be manageable by the child; we will not warm or prepare food brought from home.
- Parents/students will not be permitted to have lunches, breakfasts, or outside beverages brought from outside food sources to be consumed in the cafeteria.
- **Lunch Visitors**
  - Parents and guests of students are welcomed to join our students for a school lunch (no lunch brought in to cafeteria from an outside source). Parents or guests should eat with their children only at the designated table in the cafeteria. Adult lunches cost \$3.25. Adults wishing to have lunch at Westhills must be on the contact list on the registration sheet of student with whom they are eating. Adults must sign in to the front office and receive a visitor's badge before proceeding to the cafeteria.
- **Lost and Found**
  - Label all clothing, backpacks, and personal items brought to school so that they can be returned to the student if lost. Found items are sometimes turned in to the cafeteria. Unlabeled and unclaimed items are given away at the end of each year.
- **Messages**
  - All messages for students (i.e., change in the way a child gets home that day) should be phoned in before 2:00. The messages are delivered between 2:00 and 2:30. Parents should work out transportation with their children **before school** each day. **School secretaries are not responsible for students who do not receive messages that were phoned in after 2:00.**
- **Parental Involvement**
  - The administration and staff of Westhills Elementary School believes in a cooperative partnership between home and school in order for each child to be successful. **Partner with your child in his/her education.** Westhills Elementary has an active Parent-Teacher Organization (PTO). The PTO is involved in volunteering, fundraising, supporting school goals, and enriching academic programs. Parents are encouraged to join the PTO and help support our school. Contact the school office at (931) 359-3909 for more information about the PTO.
- **Parent-Teacher Conferences**
  - Communication is an essential part of the educational program and conferences are strongly encouraged. Countywide parent-teacher conferences will be held October 8 from 3:30-9:30. Notices of times to attend are sent home with the students. To accommodate a conflict, please contact the teacher. Teachers are provided with a daily planning/conferencing time. Appointments to conference with teachers can be made any time by contacting the school office. Teachers may not use instructional time to conference. Teachers also cannot be called during the day, but messages left in the front office will be delivered.
- **Parties**
  - There are classroom parties each Halloween, Christmas, and Valentine's Day. All parties will be at 2:00 p.m. unless special arrangements have been made. With permission from the teacher beforehand, student birthdays can be celebrated at school with all classmates. **Invitations to out-of-school parties may not be given out at school.**
- **Physical Education**
  - All students should participate in P.E. class unless medically unable. A note of explanation should be sent to the P.E. teacher if a child is unable to participate in P.E. class. **Students should wear or bring gym shoes for P.E. and recess.**

- **Pictures**
  - Fall and spring pictures are made each year. If you want to purchase pictures please send money for the pictures within two weeks of receiving your package. If you do not want to purchase them, please send the pictures/proofs back within two weeks.
- **Promotion and Retention**
  - Teachers will evaluate each student's progress in order to decide whether retention of a student is needed. Teachers will notify parents by the 24<sup>th</sup> week of school if it is likely that a student will be retained. Parents are encouraged to conference with teachers about students' progress so that a plan for improvement may be made to prevent retention if possible.
- **Report Cards**
  - Report cards are issued four times a year (every nine weeks). Teachers will also send home progress reports every 4 ½ weeks between report cards. Please examine these, sign, and return to school. If you notice unsatisfactory grades, please schedule a conference with your child's teacher as soon as possible.
- **Records**
  - Student records are confidential but may be viewed by legal guardians upon request in the school office.
- **Severe Weather Policy/School Closings**
  - School will be in session according to the published calendar unless the weather makes it dangerous for a school bus to operate or unless there are other extenuating circumstances that make it dangerous for students to be at school. On doubtful mornings, the local radio stations, Marshall County Schools Facebook, Marshall County Schools Twitter, and Nashville television stations will announce the Director's decision about school closing as soon as it is available. Please do not call the school, school personnel, law enforcement agencies, and radio or television stations so that communication lines can remain open for emergencies. Local radio stations are WJMM FM 94.3 [www.wjmm.com](http://www.wjmm.com) and WAXO FM 95.9 or WAXO 1220 [www.waxo.com](http://www.waxo.com), WAXO TV channel 34. If, during the day, weather conditions become severe enough to require buses to make their runs before regularly scheduled times, each radio and TV station will be notified. **If the procedure for getting your child home will be different than normal, parents need to call the school and let us know of alternate arrangements as soon as possible.** You are also asked to provide instructions for early dismissal on student registration forms at the beginning of the year to prepare for such situations.
- **School Security Act**
  - The Tennessee General Assembly, in order to provide a safe and secure building, has passed laws prohibiting the possession of drugs (any controlled substance) or drug paraphernalia (equipment or materials of any type considered to be used in connection with drugs) on school grounds. Cars and persons on school property are subject to search. Electronic pagers and cellular phones in the possession of students have been determined to meet this criterion. Possession of such items by students will result in confiscation of the items. See also Weapons and Dangerous Instruments.
- **Sickness**
  - If your child is determined to be ill at school, you will be contacted to make arrangements to pick up your child. If we cannot reach you. We will contact other numbers you have provided on the registration sheet. **Please keep numbers up to date. Please do not send sick children to school.**
  - Medication: A student shall not possess any prescribed or over-the-counter medication at any time during the school day, at a school activity, or on school grounds. Medications that **MUST** be given at school should be limited to those required during school hours and necessary to provide the student access to the educational program. This policy applies during the school day and at school-approved functions. **Students needing administration of short term prescription**

**medication (up to two weeks)** will follow the following procedures: Medicine is sent to school in the original container with a dosage spoon or cup and a signed note from the parent or guardian specifying student's name, dosage, and time to be given. Please see Marshall County Board policy 6.405 for further information. That policy is at the end of this handbook. **Students needing long term prescription medications (in excess of two weeks)** must follow Marshall County policy 6.405 at the end of this handbook.

- **Student Information Form**

- Please be sure all requested information is correct and up-to-date throughout the year. We use this information to contact you in the event that you are needed. You are asked for 2 different numbers and persons who can be called in case of an emergency. **Always provide an up-to-date number of someone we can locate in the event of an emergency.**

- **Technology**

- The Marshall County School System provides students access to school computer and network services to promote educational excellence by facilitating resource sharing, innovation, and communication. Students are responsible for good behavior on school computer networks just as they are in the classroom. Written permission/agreement, which specifies appropriate uses, rules, and penalties must be signed by the parent and is kept on file. In order to protect the technology equipment in our schools, students are not allowed to store or install software or data from any medium without permission from the building technology coordinator.

- **Textbooks/Library Books**

- Textbooks are the property of the Marshall County Board of Education and shall be returned upon the end of the school year or withdrawal from school entirely. If it is determined that there has been a loss or damage of the textbook/library book, then parents/guardians will be responsible for paying the cost of the book. Failure to do so will result in withholding of the report card.

- **Tobacco**

- Tennessee state law prohibits the use of tobacco in any form on school property.

- **Transportation**

- Students are assigned to buses based on home address. The assigned buses pick up and drop off the student in close proximity to home. A student may not change bus assignment for any reason without permission from the Transportation Department, 359-4866.
- Bus Policies:
  - Be on time at the bus stop, ready to board when the bus stops.
  - Stay seated facing the front of the bus at all times.
  - All books and personal items must be held in the passenger's lap. Nothing may be in the aisle of the bus or obstruct the driver's view of other passengers.
  - Passengers must observe and obey any rules posted in the bus.
  - Passengers must obey the bus driver at all times.
- Please see Marshall County School Board Policy 6.308 at the back of this handbook for more information about bus conduct.
- Change of transportation: Notify the teacher by written note or call the office if there is to be a change in transportation for your child. If such notification is not received in time to get the message to your child, your child will follow his or her regular method of getting home. **If your child is riding a different bus for one day only, you must fill out a form in the office. You or your child can pick this form up in the school office beforehand and send to school signed and with the address where your child should get off the bus. No child will board a different bus than normal without this completed note.** If your child needs to permanently change buses, you need to fill out another Transportation Request. Call the school office for this form.

- **Visitors and Volunteers**

- Visitors and volunteers must check in and get a Visitor's Pass in the front office before entering the halls or classrooms. For the safety of the students, staff members have been instructed to ask for a Visitor's Pass if it is not completely visible. Long-term volunteers must now complete a background check.
- **Weapons**
  - Students shall not possess, handle, transmit, use, or attempt to use any dangerous weapon in school buildings or on school grounds at any time, or in school vehicles and/or buses or off school grounds at a school-sponsored activity, function, or event. Students are further forbidden to use any instruments or substances such as chemicals, pencils, scissors, etc. with the intent to do harm or use in a manner which renders the item dangerous. This includes toy guns, toy knives, etc. When it has been determined that a student has violated this policy, the principal shall notify the students' parent or guardian and the juvenile delinquency system as required by law. **Students are not allowed to bring any kind of knife to school for any reason.**
- **Withdrawal of Students**
  - If you are moving and are withdrawing from school, please call the office a few days prior to the withdrawal date. This will give ample time to complete all necessary paperwork, settle any debts, return books, and gather any supplies and/or medications your child has brought to school.
- **Notice of Parent's Rights to Notification of Teacher Qualification**
  - In compliance with federal regulations, parents have the right to know the qualifications of their child's instructional staff. This information can be accessed from the State Department of Education website.
- **Information on Child Advocacy Groups**
  - For a list of Child Advocacy Groups, parents can visit the Tennessee Disability Services—Disability Pathfinder Database at <http://mingus.ke.vanderbilt.edu/tidir/dbsearch.asp> or the State Department of Education at <http://www.state.tn.us/education/specad/index.htm>.
- **Parental Notification of Unsafe School Choice Policy**
  - Transfer Option for Students Victimized by Violent Crime at School
    - Under the Tennessee State Board of Education's Unsafe School Choice Policy, any public school student who is the victim of a violent crime as defined under Tennessee Code Annotated 40-38-111(g), or the attempt to commit one of these offenses as defined under Tennessee Code Annotated 30-12-101, shall be provided an opportunity to transfer to another grade-level-appropriate school within the district. Additional information regarding this option may be obtained by contacting Jackie Morris at (931) 359-1581.
- **Student Discrimination/Harassment, Cyberbullying and Bullying/Intimidation Policy**
  - Bullying and intimidation will not be allowed in compliance with Tennessee Code Annotated 49-6-1014 thru 1019. Students will be taught alternative ways to solve problems. Bullying should be reported to teachers, counselors, or school administrators.

### **Westhills Elementary School: Discipline Plan and Procedures**

#### ***Be Respectful, Be Responsible, Follow Directions, Focus on Learning***

Westhills Elementary School discipline plan is to be used as a guide to promote consistency of practices in the school. All infractions will be thoroughly investigated and consequences will be fair and appropriate. WestHills Elementary School will maintain a level system for handling infractions of behavioral expectations. Students are expected to conform to the rules and regulations of the school system and apply themselves to the learning process. The following levels of misbehavior and disciplinary procedures and options are designed to protect all members of the educational community in the exercise of their rights and duties.

**Misbehavior: Level 1:** Minor misbehavior on the part of the student which impedes orderly classroom procedures or interferes with the orderly operation of the school, but which can usually be handled by an individual staff member.

### **Examples**

- Demonstrated lack of respect for school employees or any authorized individual, demonstrated lack of respect for fellow students, classroom disturbances, classroom tardiness, cheating and lying, inappropriate language, non-defiant failure to do assignments or carry out directions, any violation of classroom rules, any of the above listed behaviors committed on a school bus

### **Disciplinary Procedures**

- Immediate intervention by classroom teacher, determine what offense was committed and its severity, determine offender and that offender understands the nature of the offense, employ appropriate disciplinary action, maintain a written record of the offense and disciplinary action

### **Disciplinary Options**

- Verbal reprimand, restricting activities, isolation/timeout, loss of recess, detention

**Misbehavior Level 2:** Misbehavior which, due to the frequency or seriousness, tends to disrupt the learning climate of the school. Included in this level are misbehaviors which do not represent a direct threat to the health and safety of others but the educational consequences are serious enough to require corrective action on the part of the teacher or at the teacher's discretion sent to an administrator.

### **Examples**

- Continuation of unmodified Level 1 behaviors, excessive school or class tardiness, school or class truancy, major disruptions, defiant behavior to do assignments or carry out directions, use of a personal communication device (cellular phone, iPod, iPad), violation of district technology guidelines, creation, transmission, or carrying of material that maybe considered obscene, any of the above listed behaviors committed on a school bus

### **Disciplinary Procedures**

- Student is referred to an administrator at teacher's discretion, teacher communicates with student's parents or meets with student's parents, determine what offense was committed and its severity, determine offender and that offender understands the nature of the offense, employ appropriate disciplinary action, maintain a written record of the offense and disciplinary action

### **Disciplinary Options**

- Missed playtime-total, detention, sent to office, ISS/corporal punishment, suspension from school-sponsored activities or from riding a school bus

**Misbehavior Level 3:** Acts directly against persons or property that endanger the health or safety of others in the school.

### **Examples**

- Continuation of unmodified Level 1 and 2 behaviors, fighting, hazing, bullying in any form, vandalism, stealing, abusive language (Threat, Offensive, Racial, Sexual), harassment, look alike drugs or real drugs, look alike weapons or real weapons, forgery, leaving class or school without permission, arson

### **Disciplinary Procedures**

- Student is referred to an administrator for appropriate action
- Parents are notified

- Administrator meets with student and teacher
- Administrator hears accusation by accusing party and permits offender the opportunity of explaining conduct
- Administrator may refer incident to Director of Schools and make recommendations for consequences
- Law enforcement officials are contacted when appropriate or when a delinquent act has been committed
- Administrator shall maintain a written record of offense and disciplinary action

### **Disciplinary Options**

- ISS/corporal punishment, restitution for loss, damage, or stolen property, OSS, Expulsion

**Additional Guidelines:** \*Expulsion/Remand for a period of not less than one calendar year subject to modification by the Director of Schools on a case by case basis.

\*Teachers/Administrators are to contact parents or guardians whenever there is a discipline notice.

\*ISS- In School Suspension or any suspension can only be given by an administrator.

\*OSS-Out of School Suspension or any suspension can only be given by an administrator.

## **Marshall County Board Policies of Interest**

### **Section 504 and ADA Grievance Procedures Policy 1.802**

The Board is committed to maintaining equitable employment/educational practices, services, programs and activities that are accessible and usable by qualified individuals with disabilities.

#### **DEFINITION**

*Section 504 of the Rehabilitation Act of 1973* provides that: No otherwise qualified individual with handicaps in the United States...solely by reason of his/her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.<sup>1</sup>

*Title II of the Americans with Disabilities Act, 1990* provides that: No otherwise qualified individual with a disability shall be discriminated against in regard to job application procedures, the hiring, advancement, or discharge of employees, employee compensation, job training and other terms, conditions and privileges of employment.<sup>2</sup>

#### **COORDINATOR<sup>3</sup>**

The Board shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under the Americans with Disabilities Act (ADA) and Section 504, including any investigation of any complaint alleging non-compliance with the Acts or alleging any actions that would be prohibited by the Acts.

#### **NOTICE<sup>4</sup>**

The Board shall make available the name, office address and telephone number of the ADA/Section 504 coordinator. Methods of initial and continuing notification may include the posting of notices, publication in newspapers and student and employee handbooks and distribution of memoranda or other written communications.

#### **COMPLAINT PROCEDURE<sup>5</sup>**

The coordinator will hear ADA/Section 504 complaints. Complaints may be submitted orally or in writing to the coordinator who will endeavor to accomplish prompt and equitable resolution of complaints alleging any action that would be prohibited by the ADA/Section 504. The coordinator will respond to all complaints within twenty (20) days with a written response as well as information on further grievance procedures that may be followed if the complaining party is not satisfied with the coordinator's proposed resolution.

Section 504 of the Rehabilitation Act of 1973 provides the right to an impartial due process hearing if a parent wishes to contest any action of the school system with regard to a child's identification, evaluation, and placement under Section 504.<sup>6</sup> If a parent/guardian requests a Section 504 hearing, the parent/guardian has the right to personally participate and to be represented at the hearing by an attorney or advocate at the parent's expense. Contested actions or omissions that are appropriate for a Section 504 hearing should involve identification, evaluation, or placement issues involving a child who has or is believed to have a disability.

#### *Request for Hearing*

A parent/guardian who wishes to challenge an action or omission with regard to the identification, evaluation, or placement of a student who has or is believed to have a disability as defined by Section 504, shall make an oral or written request for a due process hearing to the Section 504 coordinator.

The request shall be submitted on or reduced to writing on a form provided through the Central Office.

#### *Impartial Hearing Officer*

The director of schools or his/her designee shall appoint an impartial hearing officer to preside over the hearing and issue a decision. Such appointment will be made within fifteen (15) days of the date of receipt of a request for a due process hearing. The hearing officer will be hired as an independent contractor at no expense to the parent. The hearing officer that is appointed shall not be a current employee of the school system and shall not be related to any member of the Board of Education. The hearing officer need not be an attorney but shall be familiar with the requirements of Section 504 and the hearing procedures under Section 504. The choice of an impartial hearing officer is final and may not be presented as an issue at the due process hearing since such an issue would not relate to the identification, evaluation, or placement of a disabled child under Section 504. If a parent/guardian disputes the impartiality of the appointed hearing officer, he/she may raise such issue in a review of the hearing officer's opinion by a court of competent jurisdiction or in a complaint to the Office for Civil Rights.

#### *Office for Civil Rights*

U.S. Department of Education

61 Forsyth St. S.W., Suite 19T10

Atlanta, GA 30303-8927

Telephone: 404-974-9406; TDD: 877-521-2172

Email: OCR.Atlanta@ed.gov

#### *Scheduling of Hearing*

The appointed hearing officer shall set a date for the hearing within fifteen (15) days of his/her appointment and provide this information in writing to the parent/guardian and the Section 504 coordinator.

The hearing shall take place at a mutually agreeable time and place.

#### *Continuances*

Upon a showing of good cause, the hearing officer, at his/her discretion may grant a continuance of the hearing date and set a new hearing date.

#### *Legal Representation at Hearing*

If a parent/guardian is represented by a licensed attorney at the due process hearing, he/she must inform the Section 504 coordinator and the appointed hearing officer of that fact, in writing, at least seven (7) calendar days prior to the hearing date, or the hearing can be continued upon the coordinator's request. The school system shall not have legal representation at the hearing unless the parent provides notice that he/she will have legal representation.

#### *Pre-Hearing Conference*

The hearing officer may order a Pre-Hearing Conference during which the parent/guardian or his/her representative will state and clarify the issues to be addressed at the hearing. The Pre-Hearing Conference will also serve to resolve preliminary matters, clarify jurisdictional issues, and answer the parties' questions regarding the hearing process. The Pre-Hearing Conference can be held via telephone or in person depending on the hearing officer's decision based on the convenience to both parties.

#### *Dismissals*

If, after the Pre-Hearing Conference, the hearing officer finds that the parent, as a matter of law, alleges and/or raises no factual claims or legal issues that come within his/her jurisdiction as a Section 504 hearing officer, he/she may dismiss the hearing and issue an order to that effect explaining the basis for such finding.

#### *Hearing*

The hearing shall be conducted in an informal, non-adversarial manner. The hearing shall be closed to the public unless the parent/guardian requests an open hearing. The hearing officer may reasonably limit testimony and introduction of exhibits for reasons of relevance.

#### *Recording*

Instead of a formal written transcript produced by a court reporter, the entire due process hearing will be video recorded. The school system shall provide a copy of the recording to the parent/guardian upon request. In order for an accurate recording to be made, the parties and witnesses shall introduce themselves at the beginning of their presentations. If a parent/guardian appeals the decision of the hearing officer to a court of competent jurisdiction, the school system shall prepare a written transcript of the hearing to be offered to the court as an exhibit.

#### *Witnesses*

Witnesses will present their information in narrative form, without the traditional question and answer format of legal proceedings. Cross-examination of witnesses will not be allowed, but a party may request that the hearing officer, at his/her discretion, ask a witness a certain question.

#### *Format of Presentation*

Each side will have an equal amount of time to present their positions as determined by the hearing officer. The parent/guardian will present his/her case first by making an opening statement outlining the issues, calling witnesses, and making a closing argument. The school system will present its side next. At the end of the school system's presentation, the parent/guardian may offer a short response. Each side may present personally or through their representatives.

#### *Submission of Exhibits*

As part of their presentations and at the discretion of the hearing officer, the parties may submit any reports, evaluations, correspondence, notes, or any other documents that may support their positions. Exhibits submitted to the hearing officer by either party must be marked. The hearing officer may, in the exercise of his/her discretion, reasonably limit the number of

documents to be submitted for his/her review, as well as the number of witnesses and the length and/or scope of their presentations or statements.

#### *Closing Arguments*

The hearing officer may allow or request written closing arguments summarizing and characterizing the information presented at the hearing.

#### *Decision*

The hearing officer may make an oral ruling at the conclusion of the hearing or take the case under advisement and issue a written opinion. Such decision shall address all of the issues raised by the parent/guardian as well as any corrective actions, if any, the school system must take. Any issue or claim raised by the parent/guardian that is left unaddressed by the hearing officer in his/her decision will be deemed to have been denied. The decision must be issued within forty-five (45) days after the date the Request for a Due Process Hearing is received by the district. The hearing officer may not award attorneys' fees as a part of the relief granted to a parent/guardian or the district.

#### *Review Procedure/Appeal 33*

If the parent/guardian is not satisfied by the decision of the hearing officer, he/she may seek review of the decision in a court of competent jurisdiction.

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### **Tobacco-Free Schools Policy 1.803**

All uses of tobacco and tobacco products, including smokeless tobacco, electronic cigarettes and associated paraphernalia, are prohibited in all of the school district's buildings.<sup>1,2</sup> Smoking shall be prohibited in any public seating areas, including but not limited to, bleachers used for sporting events, or public restrooms.<sup>3</sup> The use of tobacco or tobacco products, including smokeless tobacco, electronic cigarettes and associated paraphernalia, will be prohibited in all vehicles, owned, leased or operated by the district. District employees and students enrolled in the district's schools will not be permitted to use tobacco or tobacco products, including smokeless tobacco, electronic cigarettes and associated paraphernalia, while they are participants in any class or activity in which they represent the school district. Any student seventeen (17) or under who possesses tobacco products shall be issued a citation by the school principal/resource officer.<sup>4</sup> The director of schools, in cooperation with the juvenile court and the local (police/sheriff's department), is responsible for developing procedures for issuance of the citations which shall include the form and content of citations and methods of handling completed citations. Any student eighteen (18) years of age or older who uses tobacco products on school property or possesses tobacco in any school building shall be subject to the following disciplinary action(s):

1st Offense - Five (5) days ISS/video and report

2nd Offense - Alternative School

3rd Offense - Recommendation of expulsion

Parents and students shall be notified of this citation requirement at the beginning of each school year. Signs will be posted throughout the district's facilities to notify students, employees and all other persons visiting the school that the use of tobacco and tobacco products is forbidden. The following notice shall be prominently posted (including at each ticket booth) for elementary or secondary school sporting events: Smoking is prohibited by law in seating areas and in restrooms.<sup>5</sup>

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### **Use of Internet Policy 4.406**

The Board supports the right of staff and students to have reasonable access to various information formats and believes it incumbent upon staff and students to use this privilege in an appropriate and responsible manner.

#### **Employees**

Before any employee is allowed use of the district's Internet or intranet access, the employee shall sign a written agreement, developed by the director/designee that sets out the terms and conditions of such use. Any employee who accesses the district's computer system for any purpose agrees to be bound by the terms of that agreement, even if no signed written agreement is on file.

The director of schools shall develop and implement procedures for appropriate Internet use which shall address the following:

1. Development of the Network and Internet Use Agreement.
2. General rules and ethics of Internet access.
3. Guidelines regarding appropriate instruction and oversight of student Internet use.
4. Prohibited and illegal activities, including but not limited to the following:
  - Sending or displaying offensive messages or pictures
  - Using obscene language
  - Harassing, insulting, defaming or attacking others
  - Damaging computers, computer systems or computer networks
  - Hacking or attempting unauthorized access to any computer
  - Violation of copyright laws
  - Trespassing in another's folders, work or files
  - Intentional misuse of resources
  - Using another's password or other identifier (impersonation)
  - Use of the network for commercial purposes
  - Buying or selling on the Internet



## **Students**

The director of schools shall develop and implement procedures for appropriate Internet use by students.

Procedures shall address the following:

1. General rules and ethics of Internet use.
2. Prohibited or illegal activities, including, but not limited to:
  - Sending or displaying offensive messages or pictures
  - Using obscene language
  - Harassing, insulting, defaming or attacking others
  - Damaging computers, computer systems or computer networks
  - Hacking or attempting unauthorized access
  - Violation of copyright laws
  - Trespassing in another's folders, work or files
  - Intentional misuse of resources
  - Using another's password or other identifier (impersonation)
  - Use of the network for commercial purposes
  - Buying or selling on the Internet

### **INTERNET SAFETY MEASURES**

Internet safety measures shall be implemented that effectively address the following:

- Controlling access by students to inappropriate matter on the Internet and World Wide Web

- Safety and security of students when they are using electronic mail, chat rooms, and other forms of direct electronic communications
- Preventing unauthorized access, including "hacking" and other unlawful activities by students on-line
- Unauthorized disclosure, use and dissemination of personal information regarding students
- Restricting students' access to materials harmful to them

The director of schools/designee shall establish a process to ensure the district's education technology is not used for purposes prohibited by law or for accessing sexually explicit materials. The process shall include, but not be limited to:

- Utilizing technology that blocks or filters Internet access (for both students and adults) to material that is obscene, child pornography or harmful to students
- Maintaining and securing a usage log
- Monitoring on-line activities of students<sup>2</sup>

The Board shall provide reasonable public notice of, and at least one (1) public hearing or meeting to address and communicate, its Internet safety measures.<sup>2</sup>

### **Internet Use 4.406**

A written parental consent shall be required prior to the student being granted access to electronic media involving district technological resources. The required permission/agreement form, which shall specify acceptable uses, rules of on-line behavior, access privileges and penalties for policy/procedural violations, must be signed by the parent/legal guardian of minor students (those under 18 years of age) and also by the student. This document shall be executed each year and shall be valid only in the school year in which it was signed unless parent(s) provide written notice that consent is withdrawn. In order to rescind the agreement, the student's parent/guardian ( or the student who is at least 18 years old) must provide the director of schools with a written request.

### **E-MAIL**

Users with network access shall not utilize district resources to establish electronic mail accounts through third-party providers or any other nonstandard electronic mail system. All data including e-mail communications stored or transmitted on school system computers shall be monitored. Employees/students have no expectation of privacy with regard to such data. E-mail correspondence may be a public record under the public records law and may be subject to public inspection.<sup>3</sup>

### **INTERNET SAFETY INSTRUCTION<sup>4</sup>**

Students will be given appropriate instruction in internet safety as a part of any instruction utilizing computer resources. Parents and students will be provided with material to raise awareness of the dangers posed by the internet and ways in which the internet may be used safely.

### **VIOLATIONS**

Violations of this policy or a procedure promulgated under its authority shall be handled in accordance with the existing disciplinary procedures of this District.

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### **Attendance: Elementary School Policy 6.200**

Attendance is a key factor in student achievement and therefore, students are expected to be present each day school is in session. The parent(s) or guardian(s) of an elementary student are expected to assume responsibility for the student's school attendance. The attendance supervisor shall oversee the entire attendance program which shall include:

1. All accounting and reporting procedures and their dissemination;
2. Alternative program options for students who severely fail to meet minimum attendance requirements;
3. Ensuring that all school-age children attend school.

### **ABSENCES**

Absences shall be classified as either excused or unexcused as determined by the principal or assistant principal. Professional documentation shall be required. Excused absences will be divided into three (3) categories:

I. Medical Excuses: Students must provide valid documentation for absences which details accurate dates of illness (this includes doctors, dentists, and/or health care agencies). Upon returning to school, a student has three (3) school days in which to submit a note. After three (3) days, the absence(s) will become permanently unexcused. It is recommended that doctor/dental appointments be made after school hours when possible.

II. Personal Days: Students will be allowed five (5) excused personal days per semester. These days will cover the following types of absences; however, proper documentation must be presented to the office in order for the absence to be excused:

A. Personal illnesses, serious family illness for family emergency - (a note from the student's parent/guardian or legal custodian will be required for the student's returning to school). The note should include the reason(s) for and the date(s) of the absence. Upon returning to school, a student has three (3) school days in which to submit a note. After three (3) days, the absence(s) will become permanently unexcused.

B. Deaths

1. In the family - One (1) day will be excused. Additional days will be excused at the discretion of the principal (program or death notice is required upon return to school)

2. Of others - The principal may excuse absences with appropriate documentation

C. Religious Holidays/Retreats<sup>3</sup> - Religious holidays will be excused with proper documentation from the parent. Religious retreats must be pre-authorized by the principal with documentation from religious church/agency sponsoring the retreat.

**III. Extenuating Circumstances:** Absences involving extenuating or unusual circumstances would be pre-approved by the principal on a case-by-case basis. Any absence without a note is automatically an unexcused absence. Out-of-School Suspension days are likewise unexcused absences. The principal shall be responsible for ensuring that: 1. Attendance is checked and reported daily for each class; 2. Daily absentee sheets contain sign in/sign out sheets and indicate students present or absent for the majority of the day; 3. All student absences are verified; 4. Written excuses are submitted for absences and tardiness 5. System-wide procedures for accounting and reporting are followed; and 6. Letters of absence are mailed to parents and to the Attendance Supervisor when a student has accumulated five (5) unexcused absences. Five (5) unexcused absences constitute truancy and will result in a petition filed with the juvenile court. Truancy is defined as an unexcused absence for an entire school day, a major portion of the school day or any portion of any class, study hall or activity during the school day for which the student is scheduled.

#### **RULES AND PENALTIES**

1. If a student is absent from class, a parent or guardian must provide the principal's office with a written explanation of the child's absence within three (3) school days after the absence. Any absence for which a written explanation is not provided within three (3) days will be considered unexcused. The principal or his/her designee will determine if the absence is excused or unexcused. 2. Students who are absent five (5) days without adequate excuse shall be reported to the director of schools/designee who will, in turn, provide written notice to the parent(s)/guardian(s) of the student's absence. The director of schools/designee shall also comply with state law regarding the reporting of truant students to the proper authorities.<sup>7</sup> In addition, the principal/designee shall initiate meaningful communications with the student and parent(s)/guardian(s) in order to determine the underlying cause(s) of the unexcused absences. The principal/designee shall then develop an attendance plan and coordinate additional services designed to improve the student's attendance. Upon notification that a student has been absent ten (10) days without adequate excuse, the principal/designee shall attempt to meet in person with the student and parent(s)/guardian(s) to determine the appropriate services needed to improve the student's attendance. The principal/designee shall document all communication attempts and refine the attendance plan as needed. If a student is required to participate in a remedial instruction program outside of the regular school day where there is no cost to the parent(s) and the school system provides transportation, unexcused absences from these programs shall be reported in the same manner. 3. All missed class work or tests may be made up if the student makes the request immediately upon returning to school and if class time is not taken. 4. A request for make-up work made prior to the first bell must be provided by the teacher(s) by 3:00 p.m. of the same day. 5. Students participating in school-sponsored activities whether on- or off-campus shall not be counted absent. In order to qualify as "school-sponsored", the activity must be school-planned, school-directed, and teacher-supervised. 6. Mass exodus or early dismissal or late arrival of all students or any segment of students shall not be permitted for any reason except for emergencies such as inclement weather or other unavoidable situations, unless instruction time is made up in full. 7. The principal shall be responsible for notifying in writing the director of schools and the parents of the student of any action taken by the school. 8. If a student has an illness or hospitalization exceeding five (5) school days, the student, or his/ her parent or guardian may apply to the Special Projects Supervisor for a "homebound" teacher to provide instruction. 9. Student attendance records will be given the same level of confidentiality as other student records. Only authorized school officials engaged in legitimate educational purposes may have access to the student information without the express consent of the parent or guardian.

#### **ELEMENTARY TARDY\* POLICY**

\*A tardy is defined as a late check in or an early check out from school. After five (5) unexcused tardies, parents will receive written notice from school as a warning that further unexcused tardies will result in a summons to the Marshall County Schools Tardy Review Board. After a student reaches eight (8) unexcused tardies, parents will be summoned to appear before the Tardy Review Board. After a subsequent unexcused tardy, parents may be charged with Educational Neglect in the Marshall County Juvenile Court.

Please note: Elementary students receive five parent notes per semester. Parent notes can be used for unexcused tardies.

#### **MILITARY SERVICE OF PARENT/GUARDIAN**

School principals shall provide students with a one-day excused absence prior to the deployment of and a one-day excused absence upon the return of a parent or custodian serving active military service. Principals shall also allow up to ten (10) excused cumulative absences per year for students to visit a parent or guardian during a deployment cycle. The student shall provide documentation to the school as proof of his/her parent's/guardian's deployment. Students shall be permitted to make up schoolwork missed during these absences.<sup>4</sup>

#### **STATE-MANDATED TESTS 5**

Students who are absent the day of the scheduled state-mandated test must present a signed doctor's excuse or must have been given an excused release by the principal prior to testing to receive an excused absence. Students who have excused absences will be allowed to take a make-up exam developed by the teacher that will count as 15% of the second semester course grade. Students who have an unexcused absence shall receive a failing grade on the state-mandated test which shall be averaged into their final grade at 15% of the second semester course grade. The 15% will be suspended for the 2015-2016 school year while the state transitions to the new TNReady standards and assessments.

#### **CREDIT/PROMOTION DENIAL**

Credit/promotion denial determinations may include student attendance; however, student attendance may not be the sole criterion." However, if attendance is a factor, prior to credit/promotion denial, the following shall occur:

1. Parents and students shall be advised if a student is in danger of credit/promotion denial due to excessive absenteeism.
2. Procedures in due process are available to the student when credit or promotion is denied.

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#### **Code of Behavior and Discipline 6.300**

The director of schools shall be responsible for the overall implementation and supervision of the Board's Code of Behavior and Discipline and shall ensure that students at all schools are subject to a uniform and fair application of the Code. The principal of each school shall be responsible for implementation and administration in his/her school and shall apply the Code uniformly and fairly to each student at the school without partiality and discrimination.

The Board delegates to the director of schools the responsibility of developing more specific codes of behavior and discipline which are appropriate for each level of school, namely, elementary, middle and senior high. The development of each code shall involve principals and faculty members of each level of school and shall be consistent with the content of the Board's Code. A copy of the Code shall be posted at each school and guidance counselors shall be supplied copies for discussion with students. The code shall be referenced in all school handbooks. All teachers, administrative staff and parents shall be provided copies of the Code.

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#### **Rights and Responsibilities Policy 6.301**

The Board expects all school staff, students and parents to assume the responsibility for appropriate behaviors in the school. Each student has the right to: 1. Have the opportunity for a free education in the most appropriate learning environment; 2. Be secure in his/her person, papers and effects against unreasonable searches and seizure; 3. Expect that the school will be a safe place; 4. Have an appropriate environment conducive to learning; 5. Not be discriminated against on the basis of sex, race, color, creed, religion, national origin or disabilities; 1 and 6. Be fully informed of school rules and regulations. Each student has the responsibility to: 1. Know and adhere to reasonable rules and regulations established by the Board; 2. Respect the human dignity and worth of every other individual; 3. Refrain from libel, slanderous remarks, and obscenity in verbal and written expression; 4. Study and maintain the best possible level of academic achievement; 5. Be punctual and present in the regular school program; 6. Maintain and/or improve the school environment, preserve school and private property, and exercise care while using school facilities; 7. Refrain from behavior which would lead to physical or emotional harm or disrupt the educational process; and 8. Respect the authority of school administrators, teachers and other authorized personnel in maintaining discipline in the school and at school-sponsored activities.

#### **Interrogations and Searches Policy 6.303**

##### **INTERROGATIONS BY SCHOOL PERSONNEL**

School personnel have a duty to report any reasonable suspicion that a student is carrying, or has carried, a weapon or is violating, or has violated, a provision of the Tennessee Drug Control Act to the principal, the principal's designee or, if the principal and the principal's designee are unavailable and the offense was committed on school property, to the appropriate authorities. Students may be questioned by teachers or principals about any matter pertaining to the operation of a school and/or the enforcement of its rules. Questioning must be conducted discreetly and under circumstances which will avoid unnecessary embarrassment to the student being questioned. Any student answering falsely, evasively or refusing to answer a proper question may be subject to disciplinary action, including suspension. If a student is suspected or accused of misconduct or infraction of the student code of conduct, the principal may interrogate the student, without the presence of parent(s)/guardian(s) or legal custodians and without giving the student constitutional warnings.

##### **INTERROGATIONS BY POLICE (AT ADMINISTRATOR'S REQUEST)**

If the principal has requested assistance by the police department to investigate a crime involving his/her school, the police shall have permission to interrogate a student suspect in school during school hours.

The principal shall first attempt to notify the parent(s)/guardian(s) or legal custodians of the student of the intended interrogation unless circumstances require otherwise. The interrogation may proceed without attendance of the parent(s)/guardian(s) or legal custodians. The principal or his/her designee shall be present during the interrogation.

The use of police women or female staff members is desirable in the interrogation of female students.

#### **POLICE-INITIATED INTERROGATIONS**

If the police deem circumstances of sufficient urgency to interrogate students at school for unrelated crimes committed outside of school hours, the police department shall first contact the principal regarding the planned interrogation, inform him/her of the probable cause to investigate within the school.

The principal shall make reasonable effort to notify the parent(s)/guardian(s) or legal custodians of the interrogation unless circumstances require otherwise. The interrogation may proceed without attendance of the parent(s)/guardian(s) or legal custodians. The principal or his/her designee shall be present during the interrogation.

#### **SEARCHES BY SCHOOL PERSONNEL**

Any principal, or his/her designee, having reasonable suspicion may search any student, place or thing on school property or in the actual or constructive possession of any student during any organized school activity off campus, including buses, vehicles of students or visitors (*Notice shall be posted in the school parking lot that vehicles parked on school property by students or visitors are subject to search for drugs, drug paraphernalia or dangerous weapons*), and containers or packages if he/she receives information which would cause a reasonable belief that the search will lead to the discovery of:

1. Evidence of any violation of the law; 2. Evidence of any violation of school rules or regulations or proper standards of student or faculty conduct; 3. Any object or substance which, because of its presence, presents an immediate danger of harm or illness to any person. A student using a locker that is the property of the school system does not have the right of privacy in that locker or its contents. All lockers or other storage areas provided for student use on school premises remain the property of the school system and are provided for the use of students subject to inspection, access for maintenance and search. *Notice shall be posted in each school that lockers and other storage areas are school property and are subject to search.*

A student may be subject to physical search or a student's pocket, purse or other container may be required to be emptied because of the results of a locker search, or because of information received from a teacher, staff member or other student if such action is reasonable to the principal. All of the following standards of reasonableness shall be met:

1. A particular student has violated policy; 2. The search could be expected to yield evidence of the violation of school policy or disclosure of a dangerous weapon or drug; 3. The search is in pursuit of legitimate interests of the school in maintaining order, discipline, safety, supervision and education of students; 4. The primary purpose of the search is not to collect evidence for a criminal prosecution; and 5. The search shall be reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student, as well as the nature of the infraction alleged to have been committed.

School officials may conduct hand-held or walk-through metal detector checks of a student's person or personal effects.

#### **USE OF ANIMALS**

When necessary, dogs or other animals trained to detect drugs or dangerous weapons may be used in conducting searches, but the animals shall be used only to pinpoint areas which need to be searched and shall not be used to search the persons of students or visitors.

#### **USE OF METAL DETECTORS**

In view of the escalating presence of weapons in the schools, the Board of Education authorizes the use of hand-held or walk-through metal detectors to check a student's person or personal effects as follows: School officials or law enforcement officers may conduct metal detector checks of groups of individuals if the checks are done in a minimally-intrusive, nondiscriminatory manner (e.g., on all students in a randomly selected class; or every third individual entering an athletic event). Metal detector checks of groups of individuals may not be used to single out a particular individual or category of individuals. If a school official or a law enforcement officer has reasonable suspicion to believe that a particular student is in possession of an illegal or unauthorized metal-containing object or weapon, s/he may conduct a metal detector check of the student's person and personal effects. A student's failure to permit a metal detector check as provided in this policy will be considered grounds for disciplinary action including possible suspension. The director of schools shall develop procedures for use of metal detectors.

#### **SEARCHES BY POLICE**

If public health or safety is involved, upon request of the principal who shall be present, police officers may make a general search of students' lockers and desks, or students' or nonstudents' automobiles for drugs, weapons or items of an illegal or prohibited nature. If the principal has received reliable information which he/she believes to be true that evidence of a crime or of stolen goods, not involving school property of members of the school staff or student body, is located on school property and that any search for such evidence or goods would be unrelated to school discipline or to the health and safety of a student or the student body, he/she shall request police assistance; and procedures to obtain and execute a search warrant shall thereafter be followed. Anything found in the course of the search conducted in accordance with this policy which is evidence of a violation of the law or a violation of student conduct standards may be: 1. Seized and admitted as evidence in any hearing, trial, suspension or dismissal proceeding. It should be tagged for identification at the time it is seized and kept in a secure place by the principal or the principal's designee until it is presented at the hearing. At the discretion of the principal, the items seized may be returned to the parent or guardian of a student or, if it has no significant value, the item may be destroyed, but only with the express written permission of the director of schools. 2. Any seized item may be turned over to any law enforcement officer. Any dangerous weapon or drug as defined in TCA 49-6-4202 shall be turned over to an appropriate law enforcement official after completion of an administrative proceeding at which its presence is reasonably required.

### ***Interrogations & Searches 6.303***

Whenever the possibility of uncovering evidence of a criminal nature exists, the principal or his/her designee may request the assistance of a law enforcement officer to: 1. Search any area of the school premises, any student or any motor vehicle on the school premises; or 2. Identify or dispose of anything found in the course of a search conducted in accordance with this policy. The involvement of law enforcement officials is encouraged when there is reasonable cause to suspect that criminal evidence is about to be uncovered.

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### **Student Discrimination/Harassment and Bullying/Intimidation and Cyberbullying Policy 6.304**

The Marshall County Board of Education has determined that a safe, civil, and supportive environment in school is necessary for students to learn and achieve high academic standards. In order to maintain that environment, acts of bullying, cyber-bullying, discrimination, harassment, hazing or any other victimization of students, based on any actual or perceived traits or characteristics, are prohibited.<sup>1</sup>

This policy shall be disseminated annually to all school staff, students, and parents. This policy shall cover employees, employees' behaviors, students and students' behaviors while on school property, at any school-sponsored activity, on school-provided equipment or transportation, or at any official school bus stop. If the act takes place off school property or outside of a school-sponsored activity, this policy is in effect if the conduct 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.

Building administrators are responsible for educating and training their respective staff and students as to the definition and recognition of violations of this policy.

#### **DEFINITIONS**

*Bullying/Intimidation/Harassment* - An act that substantially interferes with a student's educational benefits, opportunities, or performance, and the act has the effect of:

- Physically harming a student or damaging a student's property;
- Knowingly placing a student or students in reasonable fear of physical harm to the student or damage to the student's property;
- Causing emotional distress to a student or students; or
- Creating a hostile educational environment.

Bullying, intimidation, or harassment may also be unwelcome conduct based on a protected class (race, nationality, origin, color, gender, age, disability, religion) that is severe, pervasive, or persistent and creates a hostile environment.

*Cyber-bullying* - A form of bullying undertaken through the use of electronic devices. Electronic devices include, but are not limited to, telephones, cellular phones or other wireless telecommunication devices, text messaging, emails, social networking sites, instant messaging, videos, web sites or fake profiles.

*Hazing* - An intentional or reckless act by a student or group of students that is directed against any other student(s) that endangers the mental or physical health or safety of the student(s) or that induces or coerces a student to endanger his/her mental or physical health or safety. Coaches and other employees of the school district shall not encourage, permit, condone or tolerate hazing activities.<sup>3</sup>

"Hazing" does not include customary athletic events or similar contest or competitions and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization.

#### **COMPLAINTS AND INVESTIGATIONS**

Alleged victims of the above-referenced offenses shall report these incidents immediately to a teacher, counselor or building administrator.<sup>2</sup> All school employees are required to report alleged violations of this policy to the principal/designee. All other members of the school community, including students, parents, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy.

While reports may be made anonymously, an individual's need for confidentiality must be balanced with obligations to cooperate with police investigations or legal proceedings, to provide due process to the accused, to conduct a thorough investigation or to take necessary actions to resolve a complaint, and the identity of parties and witnesses may be disclosed in appropriate circumstances to individuals with a need to know.

The principal/designee at each school shall be responsible for investigating and resolving complaints.

The principal/designee is responsible for determining whether an alleged act constitutes a violation of this policy, and such act shall be held to violate this policy when it meets one of the following conditions:

- It places the student in reasonable fear or harm for the student's person or property;
- It has a substantially detrimental effect on the student's physical or mental health;
- It has the effect of substantially interfering with the student's academic performance; or
- It has the effect of substantially interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by a school.

Upon the determination of a violation, the principal/designee shall conduct a prompt, thorough, and complete investigation of each alleged incident. Within the parameters of the federal Family Educational Rights and Privacy Act (FERPA) at 20 U.S.C. § 1232g, a written report on the investigation will be delivered to the parents of the complainant, parents of the accused students and to the Director of Schools.

#### **RESPONSE AND PREVENTION**

School administrators shall consider the nature and circumstances of the incident, the age of the violator, the degree of harm, previous incidences or patterns of behavior, or any other factors, as appropriate to properly respond to each situation.

A substantiated charge against an employee shall result in disciplinary action up to and including termination.

A substantiated charge against a student may result in corrective or disciplinary action up to and including suspension.

An employee disciplined for violation of this policy may appeal the decision by contacting the Federal Rights Coordinator or the Human Resource Coordinator. Any student disciplined for violation of this policy may appeal the decision in accordance with disciplinary policies and procedures.

#### **REPORTS**

When a complaint is filed alleging a violation of this policy where there is physical harm or the threat of physical harm to a student or a student's property, the principal/designee of each middle school, junior high school, or high school shall report the findings and any disciplinary actions taken to the director of schools and the chair of the board of education.

By July 1 of each year, the director of schools/designee shall prepare a report of all of the bullying cases brought to the attention of school officials during the prior academic year. The report shall also indicate how the cases were resolved and/or the reasons they are still pending. This report shall be presented to the board of education at its regular July meeting, and it shall be submitted to the state department of education by August 1. The director of schools shall develop forms and procedures to ensure compliance with the requirements of this policy and TCA § 49-6-1016.

#### **RETALIATION AND FALSE ACCUSATIONS**

Retaliation against any person who reports or assists in any investigation of an act alleged in this policy is prohibited. The consequences and appropriate remedial action for a person who engages in retaliation shall be determined by the administrator after consideration of the nature, severity, and circumstances of the act. False accusations accusing another person of having committed an act prohibited under this policy are prohibited. The consequences and appropriate remedial action for a person found to have falsely accused another may range from positive behavioral interventions up to and including suspension and expulsion.

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### **Alcohol and Illegal/Controlled Substances Policy 6.3071**

In order to protect the rights of students, to safeguard the learning environment, and to contribute to a "Drug Free" community, the Board's plan for dealing with alcohol and drugs<sup>1</sup> shall include the following:

1. Appropriate ways for handling alcohol/drug-related medical emergencies; 2. Guidelines for reporting alcohol/drug incidents and illegal activities; 3. Guidelines for referral of students who may have an alcohol/drug problem and/or are considered "high risk" to agencies and other sources of appropriate help; 4. Effective working relationships with appropriate community agencies, such as alcohol/drug service providers, law enforcement agencies and judicial officials.

Through the use of state guidelines the director of schools shall be responsible for:

1. Developing and implementing an appropriate curriculum on alcohol and drug education for students 2. Providing adequate information and training for all staff personnel as appropriate to their responsibilities; 3. Implementing the relevant portions of the Drug-Free Youth Act<sup>2</sup> ; 4. Developing administrative rules and guidelines for the school system to effectively respond to alcohol and drug situations that may occur at school or school-sponsored events; and 5. Providing notification to parents and students that compliance with this policy is mandatory.

Students will not consume, possess, use, sell, distribute or be under the influence of illegal drugs or alcoholic beverages in school buildings or on school grounds at any time, in school vehicles or buses, or at any school-sponsored activity, function or event whether on or off school grounds. This includes but is not limited to abuse of inhalants and prescription drugs.<sup>3</sup>

Disciplinary sanctions will be imposed on students who violate standards of conduct required by this policy. Such sanctions will be consistent with local, state and federal laws, up to and including suspension/expulsion as well as referral for prosecution.<sup>4</sup> Completion of an appropriate rehabilitation program may also be recommended.

Information about drug and alcohol counseling and rehabilitation programs will be made available through the school office.

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### **Bus Conduct Policy 6.308**

In order to maintain conditions and atmosphere suitable for learning, no person shall enter onto school bus except<sup>1</sup>:

1. Students assigned to that bus;
2. Parents of students who have prior permission to enter the bus (field trip, chaperone, etc.);
3. Marshall County School System employees; or
4. Other persons with lawful and valid business on the bus.

The school bus is an extension of school activity; therefore, students shall conduct themselves on the bus in a manner consistent with the established standards for safety and classroom behavior.

Students are under the supervision and control of the bus driver while on his/her bus, and all reasonable directions given by him/her shall be followed. A driver may remove a student in the event that the driver finds it necessary for the safety of the other student passengers or the driver, provided that the driver secures the safety of the ejected student for the uncompleted trip. A driver shall report to school authorities as soon as possible, but no later than the end of the route, any student refusing to obey the driver or exiting the bus without the driver's permission at a point other than the student's destination for that trip.<sup>2</sup>

The Supervisor of Transportation shall be informed by the bus driver of any serious discipline problem and may be called upon to assist if necessary. In the event that an incident takes place near a school, the principal may be called upon to assist. A student

may be denied the privilege of riding the bus if the Supervisor of Transportation determines that his/her behavior is such as to cause disruption on the bus, or if he/she disobeys state or local rules and regulations pertaining to student transportation. Students in violation of bus conduct rules shall be subject to disciplinary action in accordance with established Board policy and regulations governing student conduct and discipline. Bus Drivers will take and/or fax bus conduct forms which they have completed to the Supervisor of Transportation who will determine the severity of the action and the appropriate discipline in accordance with Board Policy 6.313. The Supervisor will send the Discipline form to the schools to be given to the student by the principal/designee. The discipline form will include the contact information for the Supervisor of Transportation if parents have questions. All bus riders will receive a group explanation of this procedure and a copy of this policy. Any student found destroying seats or committing any other act of bus vandalism will be required to pay for the actual damages, according to a payment schedule agreed upon by the principal and parent/guardian, before the student will be allowed to ride any Marshall County school bus again. Restitution for damages will be required in addition to other consequences that the student had incurred. Special Education children will have an IEP-team meeting after the first warning. The suspension of a student from riding the school bus shall follow the same procedures as for any other school suspension. A school bus driver should never put a child off the bus for disciplinary purposes at any point to and from school. Any student who gets off the bus at any point between the pick-up point and school must present the bus driver with a note of authorization from the parent or guardian and principal of the school that the student attends. Any student wishing to ride a bus other than his/her designated bus must have written permission of parent or guardian and the written approval of the principal or his/her designee which includes the name, address, and phone number of where the child is to be taken. Students who transfer from bus to bus while enroute to and from school shall be expected to abide by the discipline policies adopted by the Board and rules adopted by the staff of the terminal school. Students should not be allowed to get off a school bus until they reach their destination, except in cases of emergency or when students have notes signed by the parents and principal, or when the parent appears in person to get the child. The principal of a school will have jurisdiction over students from another school when they are waiting for transportation on his/her campus. He/she shall have the authority to discipline any of these students for misconduct while on the school grounds or in the school building. The principal taking action shall make written notification, as prescribed by the discipline policy and send a copy to the principal of the school which the student attends.

#### **Use of Video Cameras**

Video cameras may be used to monitor student behavior on school vehicles transporting students to and from school or extracurricular activities. The district shall comply with all applicable state and federal laws related to video recordings when such recordings are considered for retention as part of the student's behavioral record as determined by the district and in accordance with the law. Video surveillance shall be used only to promote the order, safety and security of students, staff and property. The director of schools is directed to develop procedures for governing the use of video cameras in accordance with the provisions of the law and established Board policies.

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### **Zero Tolerance Offenses Policy 6.309**

In order to ensure a safe and secure learning environment, the following offenses shall not be tolerated:

#### **WEAPONS & DANGEROUS INSTRUMENTS**

Students shall not possess, handle, transmit, use or attempt to use any dangerous weapon in school buildings or on school grounds at any time, or in school vehicles and/or buses or off the school grounds at a school-sponsored activity, function or event. Dangerous weapons for the purposes of this policy shall include, but are not limited to a firearm or anything manifestly designed, made or adapted for the purpose of inflicting death or serious bodily injury or anything that in the manner of its use or intended use is capable of causing death or serious bodily injury. Violators of this section shall be subject to suspension and/or expulsion from school.

*Firearms (as defined in 18 U.S.C. § 921)3*

In accordance with state law, any student who brings or possesses a firearm on school property shall be expelled for a period of not less than one (1) calendar year. The director of schools shall have the authority to modify this expulsion requirement on a case-by-case basis.<sup>4</sup>

#### **DRUGS / 2nd OFFENSE ALCOHOL**

In accordance with state law, any student who unlawfully possesses any drug including any controlled substance or legend drug shall be expelled for a period of not less than one (1) calendar year. The director of schools shall have the authority to modify this expulsion requirement on a case-by-case basis. Offenses include possession, consumption or being under the influence.

#### **ASSAULT**

In accordance with state law, any student who commits aggravated assault as defined in § 39-13-102. upon any teacher, principal, administrator, any other employee of the school or school resource officer shall be expelled for a period of not less than one (1) calendar year. The director of schools shall have the authority to modify this expulsion requirement on a case-by-case basis.

#### **ELECTRONIC THREATS**

In accordance with state law, any student who transmits by an electronic device any communication containing a credible threat to cause bodily injury or death to another student or school employee and the transmission of such threat creates actual disruptive activity at the school that requires administrative intervention shall be expelled for a period of not less than one (1) calendar year. The director of schools shall have the authority to modify this expulsion requirement on a case-by-case basis.

#### **NOTIFICATION**

When it is determined that a student has violated this policy, the principal of the school shall notify the student's parent or guardian and the criminal justice or juvenile delinquency system as required by law.

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### **Dress Code Policy 6.310**

The Board recognizes the effect which student dress and grooming have upon student behavior and commitment to learning. It further recognizes the role of parents in assisting their children in making appropriate choices regarding clothing, accessories, and personal appearance. In order to maintain an atmosphere conducive to learning and to prepare students for working environments, the Board shall require that all students, grades K-12, exercise good taste with regard to their personal appearance. Attire which is considered disruptive to others or a risk to one's health or safety is not appropriate. Clothing, personal items, or anything which can be offensive to others will not be tolerated.

**In grades K-6**, parental guidance is of utmost importance in preparing students for the school day. Elementary school administrators will contact the parents of children whom they deem to be inappropriately dressed. If the consultation with parents is unsuccessful, disciplinary measures will be taken as per this policy.

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### **Care of School Property Policy 6.311**

Students shall help maintain the school environment, preserve school property and exercise care while using school facilities. All district employees shall report all damage or loss of school property to the principal or designee immediately after such damage or loss is discovered. The principal or designee shall make a full and complete investigation of any instance of damage or loss of school property. The investigation shall be carried out in cooperation with law enforcement officials when appropriate. School property is defined as buildings, buses, books, equipment, records, instructional materials or any other item under the jurisdiction of the Board.

When the person causing damage or loss has been identified and the costs of repair or replacement have been determined, the director of schools shall take steps to recover these costs. This may include recommending the filing of a civil complaint in court to recover damages. If the responsible person is a minor, recovery will be sought from the minor's parent or guardian.

In addition, the district may withhold the grades, diploma, and/or transcript of the student responsible for vandalism or theft or otherwise incurring any debt to a school until the student or the student's parent/guardian has paid for the damages.<sup>1</sup> When the minor and parent are unable to pay for the damages, the district shall provide a program of voluntary work for the minor. Upon completion of the work, the student's grades, diploma, and/or transcripts shall be released. Such sanctions shall not be imposed if the student is not at fault.

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### **Use of Personal Communication Devices by Students Policy 6.312**

Students may possess cell phones on school property so long as such devices are turned off and stored in backpacks, purses, or personal carry-alls during class time and programs. Such devices include, but are not limited to, wearable technology such as eye glasses, rings, or watches that have the capability to record, live stream, or interact with wireless technology; cell phones; laptops; tablets; and mp3 players. However, a teacher may grant permission for the use of cell phones to assist with instruction in his/her classroom, and teachers are encouraged to integrate the devices into their course work; however, all approved devices must allow access to the Internet through a fully functional web browser and be capable of accessing the Marshall County School System's (MCSS) guest network. The principal or his/her designee may also grant a student permission to use such a device at his/her discretion. The Marshall County School System/Marshall County Board of Education will not be responsible for damaged, lost, or stolen cell phones.

#### **INTERNET**

All Internet access shall occur using the MCSS guest network. Cellular network adapters are not permitted to be used by students to access the Internet at any time. The device may only be used to access files or internet sites which are relevant to the classroom curriculum. Non-instructional games are not permitted. Students must comply with a teacher's request to turn off the device. Unauthorized use or improper storage of a device during class time or programs will result in confiscation until such time as it may be released to the student's parents or guardian. A student in violation of this policy is subject to disciplinary action as per board policy #6.316 Suspension/Expulsion/Remand.

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### **Discipline Procedures Policy 6.313**

The following levels of misbehavior and disciplinary procedures and options are designed to protect all members of the educational community in the exercise of their rights and duties.<sup>1</sup>

#### **MISBEHAVIORS: Level I**

Minor misbehavior on the part of the student which impedes orderly classroom procedures or interferes with the orderly operation of the school, but which can usually be handled by an individual staff member.

*Examples* (not an exclusive listing):

Classroom disturbances, Classroom tardiness, Cheating and lying, Abusive language, Nondefiant failure to do assignments or carry out directions, Harassment (Sexual, Racial, Ethnic, Religious)

*Disciplinary Procedures:*

Immediate intervention by the staff member, Determine what offense was committed and its severity, Determine offender and that he/she understands the nature of the offense, Employ appropriate disciplinary options, Record of the offense and disciplinary action maintained by staff member.

*Disciplinary Options:*



Verbal reprimand, Special Assignment, Restricting activities, Assigning work details, Counseling, Withdrawal of privileges, Issuance of demerits which might affect citizenship or department grades, Strict supervised study, Detention, Corporal punishment, In-school suspension, Out-of-school suspension

### **MISBEHAVIORS: Level II**

Misbehavior whose *frequency* or *seriousness* tends to disrupt the learning climate of the school. Included in this level are misbehaviors which do not represent a direct threat to the health and safety of others but whose educational consequences are serious enough to require corrective action on the part of administrative personnel.

*Examples* (not an exclusive listing):

Continuation of unmodified Level I behaviors, School or class tardiness, School or class truancy, Use of tobacco, Using forged notes or excuses, Disruptive classroom behavior, Harassment (Sexual, Racial, Ethnic, Religious)

*Disciplinary Procedures:*

Student is referred to principal for appropriate disciplinary action.

Principal meets with student and teacher, Principal hears accusation made by teacher, permits student the opportunity of explaining his/ her conduct, denying it or explaining any mitigating circumstances, Principal takes appropriate disciplinary action and notifies teacher of action, Record of offense and disciplinary action maintained by principal.

*Disciplinary Options:*

Teacher/schedule change, Modified probation, Behavior modification, Social probation, Peer counseling, Referral to outside agency, In-school suspension, Transfer, Detention

Suspension from school-sponsored activities or from riding school bus, Corporal punishment, Restricting school related honors student is otherwise due, Out-of-school suspension not to exceed ten (10) days.

### **MISBEHAVIORS: Level III**

Acts directly against persons or property but whose consequences *do not seriously endanger* the health or safety of others in the school.

*Examples* (not an exclusive listing):

Continuation of unmodified Level I and II behaviors, Fighting (simple), Vandalism (minor), Stealing, Threats to others, Harassment (Sexual, Racial, Ethnic, Religious)

*Disciplinary Procedures:*

Student is referred to principal for appropriate disciplinary action, Principal meets with student and teacher.

Principal hears accusation by accusing party and permits offender the opportunity of explaining conduct, Principal takes appropriate disciplinary action, Principal may refer incident to director of schools and make recommendations for consequences. If student's program is to be changed, adequate notice shall be given to the student and his/her parents of the charges against him, his/her right to appear at a hearing and to be represented by a person of his/her choosing. Any change in school assignment is appealable to the Board. Record of offense and disciplinary action maintained by principal or director of schools.

*Disciplinary Options:*

In-school suspension, Detention, Corporal punishment, Restitution from loss, damage or stolen property, Out-of-school suspension not to exceed ten (10) days, Social adjustment classes, Transfer, Long term out-of-school suspension, Alternative School

### **MISBEHAVIORS: Level IV**

Acts which result in violence to another's person or property or which *pose a threat* to the safety of others in the school. These acts are so serious that they usually require administrative actions which result in the immediate removal of the student from the school, the intervention of law enforcement authorities or action by the Board.

*Examples* (not an exclusive listing):

Unmodified Level I, II and III behaviors, Death threat, Extortion, Bomb threat, Possession/use/transfer of dangerous weapons \*, Assault, Battery \*, Vandalism, Theft/possession/sale of stolen property, Arson, Possession of unauthorized substances \*, Use/transfer of unauthorized substances, Harassment (Sexual, Racial, Ethnic, Religious)

*Disciplinary Procedures:*

Principal confers with appropriate staff members and with the student, Principal hears accusation by accusing party and permits offender opportunity of explaining conduct, Parents are notified as soon as possible.

Law enforcement officials are contacted, Incident is reported and recommendations made to the director of schools, Complete and accurate reports are submitted to the director of schools, Student is given hearing before disciplinary hearing authority.

*Disciplinary Options*

Out-of-school suspension, Alternative schools, Other hearing authority or Board action which results in appropriate placement, \* Suspension for a period of not less than one (1) calendar year subject to modification by the director of schools on a case-by-case basis.

### **ADDITIONAL GUIDELINES:**

1. A student shall not be suspended solely because charges are pending against him/her in juvenile or other court.
2. A principal shall not impose successive short term suspensions that cumulatively exceed ten (10) days for the same offense.
3. A teacher or other school official shall not reduce or authorize the reduction of a student's grade because of discipline problems except in department or citizenship.
4. A student shall not be denied the passing of a course or grade promotion solely on the basis of absences except as provided by board policy.

5. A student shall not be denied the passing of a course or grade promotion solely on the basis of failure to:
    - a. pay any activity fee;
    - b. pay a library or other school fine; or
    - c. make restitution for lost or damaged school property.
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#### **Corporal Punishment Policy 6.314**

Any principal, assistant principal or teacher may use corporal punishment in a reasonable manner against any student for good cause in order to maintain discipline and order within the public schools<sup>1</sup> in accordance with the following guidelines:

1. Corporal punishment shall be administered only after other less stringent measures have failed, or if the conduct of a student is of such nature that corporal punishment is the only reasonable form of punishment under the circumstances;
2. The instrument to be used in administering corporal punishment shall be approved by the Board and the punishment shall take place in the principal's office or other such place out of the view of other students;
3. Corporal punishment shall be reasonable and administered in the presence of another professional employee;
4. The nature of the punishment will be such that it is in proportion to the gravity of the offense, the apparent motive and disposition of the offender, and the influence of the offender's example and conduct on others; and
5. The witness must be informed beforehand and in the student's presence of the reason for the punishment. A disciplinary record shall be maintained and shall contain the name of the student, the type of misconduct, the type of corporal punishment administered, the name of the person administering the punishment, the name of the witness present and the date and time of punishment.

Disciplinary records shall be filed in the school office and made available to parents or students, whichever is appropriate.

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#### **Suspension/Expulsion/Remand Policy 6.316**

##### **DEFINITIONS:**

**Suspension:** dismissed from attendance at school for any reason not more than ten (10) consecutive days.

Multiple suspensions shall not run consecutively nor shall multiple suspensions be applied to avoid expulsion from school.

**Expulsion:** removal from attendance for more than ten (10) consecutive days or more than fifteen (15) days in a month of school attendance. Multiple suspensions that occur consecutively shall constitute expulsion.

**Remand:** assignment to an alternative school.

##### **REASONS FOR SUSPENSION/EXPULSION:**

Any principal, principal-teacher or assistant principal (herein called principal) may suspend/expel any student from attendance at school or any school-related activity on or off campus or from attendance at a specific class or classes, or from riding a school bus, without suspending such student from attendance at school (in-school suspension), for good and sufficient reasons including, but not limited to:<sup>2</sup>

1. Willful and persistent violation of the rules of the school;
2. Immoral or disreputable conduct, including vulgar or profane language;
3. Violence or threatened violence against the person of any personnel attending or assigned to any school;
4. Willful or malicious damage to real or personal property of the school, or the property of any person attending or assigned to the school;
5. Inciting, advising or counseling of others to engage in any of the acts herein enumerated;
6. Possession of a pistol, gun or firearm on school property;<sup>3</sup>
7. Possession of a knife, etc., as defined in TCA 39-17-1309, on school property;
8. Assaulting a principal, teacher, school bus driver or other school personnel with vulgar, obscene or threatening language;
9. Unlawful use or possession of barbitol or legend drugs, as defined in TCA 53-10-101;<sup>3</sup>
10. Engaging in behavior which disrupts a class or school-sponsored activity;
11. Making a threat, including a false report, to use a bomb, dynamite, any other deadly explosive or destructive device including chemical weapons on school property or at a school sponsored event;
12. One (1) or more students initiating a physical attack on an individual student on school property or at a school activity, including travel to and from school;
13. Off-campus criminal behavior resulting in felony charges; when behavior poses a danger to persons or property or disrupts the educational process; and
14. Any other conduct prejudicial to good order or discipline in any school.

If as a result of an investigation, a principal or his/her designee finds that a student acted in self-defense under a reasonable belief that the student, or another to whom the student was coming to the defense, may have been facing the threat of imminent danger of death or serious bodily injury, then, the student may not face any disciplinary action;<sup>1</sup>

##### **IN-SCHOOL SUSPENSION:**

1. Students given an in-school suspension in excess of one (1) day from classes shall attend either special classes attended only by students guilty of misconduct or be placed in an isolated area appropriate for study; and
2. Personnel responsible for in-school suspension will see that each student is supervised at all times and has textbooks and classwork assignments from his/her regular teachers. Students given in-school suspension shall be required to complete academic assignments and shall receive credit for work completed.

##### **PROCEDURES FOR OUT OF SCHOOL SUSPENSION AND EXPULSION: 6**

1. Unless the student's continued presence in the school, class or school-related activity presents an immediate danger to the student or other persons or property, no principal shall suspend/expel any student until that student has been advised of the nature of his/her misconduct, questioned about it, and allowed to give an explanation.
  2. Upon suspension/expulsion of any student (in-school suspension in excess of one (1) day), the principal shall make an immediate attempt to contact the parent or guardian to inform them of the suspension/expulsion. The student shall not be sent home before the end of the school day unless the parent or guardian has been contacted.
  3. The principal shall notify the parent or guardian and the director of schools or designee in writing:
    - a. Of the suspension/expulsion and the cause for it; and
    - b. A request for a meeting with the parent or guardian, student and principal, to be held as soon as possible, but no later than five (5) days following the suspension/expulsion.
  4. Immediately following the scheduled meeting, whether or not attended by the parent or guardian or student, the principal shall determine the length of the suspension/expulsion and set conditions for readmission. If the principal determines the length of the suspension to be between six (6) and the maximum often (10) days, the principal shall develop and implement a plan for correcting the behavior when the student returns to school.
  5. If at the time of the suspension the principal determines that an offense has been committed which, in the judgment of the principal would justify a suspension/expulsion for more than ten (10) days, he/she may suspend/expel/remand the student unconditionally for a specified period of time or upon such terms and conditions as are deemed reasonable.
  6. The principal shall immediately give written or actual notice to the parent or guardian and the student of the right to appeal the decision to suspend/expel/remand for more than ten (10) days. All appeals must be filed, orally or in writing, within five (5) days after receipt of the notice and may be filed by the parent or guardian, the student or any person holding a teaching license who is employed by the school system if requested by the student.
  7. The appeal from this decision shall be to the Board or to a disciplinary hearing authority appointed by the Board.
  8. If the suspension/expulsion occurs during the last ten (10) days of any term or semester, the student shall be permitted to take such final examinations or submit such required work as necessary to complete the course of instruction for that semester, subject to conditions prescribed by the principal.
  9. Students who have been suspended Out of School, placed in In-School Suspension, or placed in Alternative School may not participate in any school related extracurricular activities until the end of the regular school day on the last day of the suspension.
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#### **Student Disciplinary Hearing Authority Policy 6.317**

A Disciplinary Hearing Authority (DHA)<sup>1</sup> will conduct hearings for students who have been suspended expelled/remanded for more than ten (10) school days. The Board shall appoint members of the DHA which shall consist of nine (9) members, (maximum number must not exceed total membership of Board) at least two (2) of which shall be licensed employees of the board, appointed to one (1) year terms and subject to reappointment. Board members shall not serve on the DHA.

The director of schools shall appoint a chairman of the DHA from the members appointed by the Board.

The chairman shall perform the following duties:

1. Identify the members of the DHA assigned to hear each individual case;
2. Prepare and disseminate the minutes of each meeting; and
3. Set the time, place and date for each hearing.

At the conclusion of each hearing, the chairman shall sign and maintain a copy of the minutes of the meeting.

The DHA shall notify the parent or guardian of the student, the student, and any other appropriate person of the time, place and date of the hearing.

Each hearing shall be conducted by at least three (3) members of the DHA, one of which must be a licensed employee of the Board. The hearing must be held, a decision must be rendered, and notification of the decision must be provided to the parents and/or student and the principal no later than ten (10) days after the beginning of the suspension/expulsion. Notification of the decision shall include a statement of the right of either party within five (5) days after receiving the decision to request a review by the Board.

The DHA may take the following disciplinary actions:

1. Affirm the decision of the school principal;
2. Order removal of the suspension/expulsion unconditionally;
3. Order removal of the suspension/expulsion upon such terms and conditions as it deems reasonable;
4. Remand the student to alternative placement; or
5. Suspend/Expel/Remand the student for a specified period of time.

If the student, principal, principal-teacher or assistant principal requests a review, then the Board shall either review the record or grant a second hearing.

If the Board chooses to review the record it shall:

1. Affirm the decision of the hearing authority; or
2. Modify the decision to a lesser penalty\*; or
3. Grant a hearing before the Board.

If the Board chooses to grant a hearing, it may:

1. Affirm the decision of the hearing authority; or
2. Modify the decision in any manner\*; or

3. Impose a more severe penalty than that of the hearing authority.

The notice of the hearing shall include a statement that, unless the student's parent or guardian requests an open hearing in writing within five (5) days of receipt of the notice, any hearing will be closed to the public.

**\* Note: Zero-tolerance offenses set forth in statute (firearms, drug possession and battery upon a school employee) require mandatory calendar year expulsion or assignment to alternative placement for a calendar year unless modified by the director of schools.**

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#### **Alternative School Programs Policy 6.319**

The goal of the Alternative School Program is to provide an alternative public education setting for students whose problems have attained a level beyond the home school's ability to deal with them; said school must have exhausted all other recourses prior to recommending Alternative School Placement, or the student must have committed a major violation of school board policy. Alternative schools shall offer alternative learning environments in which students are offered a variety of educational opportunities, such as learning at different rates of time or utilizing different, but successful, learning strategies, techniques and tools. Placement will be for a **minimum** of twenty (20) days in attendance at Alternative School. Additional days may be assigned if deemed necessary by the principal. Each day must be successful in the student meeting all goals as established in the individual improvement plan. Unsuccessful days (days the student **did not meet the goals established or days missed**) will not count toward time served.

(1) The Board shall operate an alternative school program for students in grades 7-12 who have been suspended or expelled from regular school programs. Sixth grade students may be placed only in unusual circumstances.

(2) The alternative school shall be operated pursuant to the rules of the state board of education pertaining to them, and instruction shall proceed as nearly as practicable in accordance with the instructional programs at the student's home school. All course work completed and credits earned in the alternative schools shall be transferred to and recorded in the student's home school, which shall grant credit earned and progress thereon as if earned in the home school.

(3) Attendance in alternative school programs shall be mandatory and students attending an alternative school shall provide their own transportation.

(4) The student shall be subject to all rules appertaining thereto. A violation of such rules by a student may result in the student's removal from the school for the duration of the original suspension or expulsion, but shall not constitute grounds for any extension thereof. The final decision on such removal shall be made by the chief administrator of the alternative school.

(5) Teachers in alternative schools shall be certified by the state and shall be selected on the basis of interest and ability to work in alternative situations.

(6) Student-teacher ratios shall be small enough to allow for adequate instruction but shall be determined by the age, behavior and academic achievement of students in the program.

(7) Copies of school records and textbooks shall be provided by the home school.

(8) Formal transition plans for the integration of students from regular schools to alternative schools and from alternative schools to regular schools shall be developed and implemented.

#### **Alternative School Programs**

(9) The principal or designee will notify the parents in writing that a student has been assigned to Alternative Placement and shall state the reason for such placement.

(10) The principal or designee will schedule a meeting with the parent or guardian at the home school, at which time they will be informed of the incident or incidents which have determined placement.

(11) A parent or guardian must then accompany the student to the Alternative Placement Program.

(12) Students found to be eligible for special education and related services shall be placed and served in accordance with the law and rules relating to special education.

(13) Students may not attend or participate in any Marshall County School function or activity, and they are not allowed on any other school premises while placed in the Alternative School Program.

(14) The Alternative school will follow the district calendar and all attendance policies will apply.

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#### **Medicines Policy 6.405**

A student shall not possess any prescribed or over-the-counter medication at any time during the school day, at a school activity, or on school grounds.

The purpose of administering medications in school is to help each student maintain an optimal state of health to enhance his or her education. Medications should be limited to those required during school hours and necessary to provide the student access to the educational program. This policy applies during the school day and at school-approved functions.

The intent of this policy is to limit the number of medications given in school yet assure safe administration of medications for those students who require them.

A designated employee(s) will be assigned by each school administrator to assist in the self-administration by students of medications in school. Related in-service training will be provided.

Tennessee Code Annotated 49-5-415 states that the Board may permit an employee "to assist in selfadministration (by students) of medication." Self-administration by the student with assistance of school staff shall be permitted under the following conditions:

1. The student must be competent to self-administer non-prescription or prescription medication with assistance;
2. The student's condition, for which the medication is authorized and/or prescribed, must be stable;

3. The self-administration of medication must be properly documented;
4. Guidelines, not inconsistent with this section, for the assistance in the self-administration of non prescription and/or prescription medications by personnel in the school setting, developed by the Department of Education and approved by the Board of Nursing, must be followed;
5. The student's parent or guardian must give permission in writing for school personnel to assist with self-administration of medication. Such written permission shall be kept in the student's school records; and
6. Assistance with self-administration shall primarily include storage and timely distribution of medication. When a student is determined by the school administrator and a health care professional (a school nurse or the student's physician) to be incompetent to self-administer medications, this team shall develop and implement an appropriate plan of administration of medication. In determining competency, consideration will be given to mental and physical abilities as well as chronological age.

It shall be the duty of the principal of the school to adhere to the following procedures for students requiring self-administration of medication at school. This must be done in order to insure their safety and to avoid adverse reaction and legal repercussion.

**LONG TERM PRESCRIPTION MEDICATIONS** (In excess of two weeks)

1. Written orders must be provided by a physician, dentist, or nurse practitioner (Health Care Provider), that has the legal right to write a prescription, detailing the name of the drug, dosage, and time medication is to be given. The *Administration of Medication Request Form* must be completed by both the Health Care Provider and the parent or guardian of the student in order that the school may comply with the Health Care Provider's order.
2. Medication must be transported to and from school in the original, pharmacy labeled container by a parent or responsible adult.
3. The person responsible for assisting in administering the medication must read the doctor's orders to become familiar with proper administration, taking care to note the dosage and time as well as the potential benefits and side effects of the medication. All medications given must be recorded on the Medication Record.
4. All medication must be kept in a secured area designated by the principal.
5. Renewal or changes:
  - a. All long-term medication must be renewed at the beginning of the new school year.
  - b. Any change in medication or dosage during the school year requires new documentation.
  - c. Changes in prescription medication shall have written authorization from the licensed prescriber and the parent. The change will be noted on the Medication Administration Form (MAR) without obliterating the previous information. Only a Registered Nurse or Licensed Practical Nurse employed by Marshall County Public Schools can make changes on the MAR. Changes can include but are not limited to: time, dose, addition, discontinuation, etc.
6. All original medication orders must be kept in the school office file and copy given to the teacher responsible for the student when necessary.
7. All medication documentation must be kept on file in the student's health record.
8. At the end of the school year, the parent must remove the remaining or unused medication, or it will be disposed of in an appropriate manner. If the medication order changes during the school year, the parent must pick up remaining or unused medication.
9. If a parent and physician agree that a student should self-medicate without assistance, (e.g. inhaler), this should be indicated on the *Administration of Medication Report Form*.
10. T.C.A. 49-5-415 was amended that under certain circumstances students can carry and selfadminister inhalers for asthma. The LEA must permit possession and self-administration of prescribed, metered dose, asthma-reliever inhaler by any student with asthma if the student's parent or guardian: Provides a written statement from the doctor that the student suffers from asthma and has been instructed in self-administration of a prescribed, metered dose, asthma-reliever inhaler. Items 1, 3, 5, 6, 7, 8 under "Long Term Prescription Medication" apply to inhalers.

**NOTE:** School nurses will monitor storage and proper documentation of medications administered on a regular basis to insure that medications are handled properly.

**EMERGENCY MEDICATIONS**

Emergency meds need to be available to the student immediately.

- A. The ability of a student to carry emergency medications should be determined by age, competency, and doctor's orders.
- B. All emergency medications will require a current doctor's order on file.
- C. Emergency meds include inhalers<sup>1</sup>, epi-pens<sup>2</sup>, and glucagon<sup>3</sup>.

**SHORT TERM PRESCRIPTION MEDICATION** (Up to two (2) weeks)

In the event medication must be given during school hours, it must be sent in the original container (e.g. antibiotics) with a dosage spoon or cup and a signed note from the parent or guardian specifying student's name, dosage, and time to be given. Items 4, 5, 7, and 8 under "Long Term Prescription Medications" apply to short term prescription medications, also. Medications given must be recorded on the Medication Record.

**OVER-THE-COUNTER MEDICATIONS** (Non-Prescription):

A student shall not possess any prescribed or over-the-counter medication at any time during the school day, at a school activity, or on school grounds.

The school may assist in a student's self-administration of over-the-counter medications with the written permission of the parent/guardian. All non-prescription medication to be self-administered in school shall:

- A. Be brought in with the manufacturer's original label with the ingredients listed and the child's name affixed to the container;

B. Require a written parental/guardian request, which shall include:

- a. Child's name
- b. Name and signature of parent/guardian
- c. Name of medication
  - 1) dosage
  - 2) route of administration
  - 3) frequency and time of administration

d. Discontinuation date

e. Reason medication is needed

f. Parents/guardian's phone number in case of emergency

C. Medication must be transported to and from school by a parent or responsible adult and given to a designated Marshall County Public School employee.

D. No homeopathic or herbal medications shall be self-administered with assistance at school. (These drugs are not standardized by the FDA)

**NOTE:** Volunteer personnel, trained by the school nurses, may administer emergency medicines to a student based on that student's Individual Health Plan (IHP).

#### **BLOOD GLUCOSE SELF-CHECKS**

Upon written request of a parent or guardian, and if included in the student's medical management plan and in the IHP, a student with diabetes shall be permitted to perform a blood glucose check or administer insulin using any necessary diabetes monitoring and treatment supplies, including sharps. The student shall be permitted to perform the testing in the clinic with the school nurse. Sharps shall be stored in a secure, but accessible location, including the student's person, until use of such sharps is appropriate. Use and disposal of sharps shall be in compliance with the guidelines set forth by the Tennessee Occupational Safety and Health Administration (TOSHA).<sup>4</sup>

***Procedures for implementing local board policies are on file in the district CSH procedures manual.***

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#### **Special Education Students Policy 6.500**

All disabled students between the ages of three and twenty-one (inclusive) shall receive the benefit of a free appropriate public education. This provides the assurance that these students will be educated with non-disabled students to the maximum extent appropriate, and should be placed in separate or special classes only when the severity of the disabled is such that education in regular classes cannot be achieved satisfactorily.<sup>1</sup> Eligibility standards and options of service for special education services will be based upon the criteria for disabling conditions specified in Rules, Regulations, and Minimum Standards, Tennessee State Board of Education.<sup>2</sup>

Students receiving special education services shall not be restrained, except as permitted by law.<sup>3</sup>

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#### **Homeless Students Policy 6.503**

In order to ensure that homeless students have equal access to the same free appropriate public education as provided to other students, the following shall apply:<sup>1</sup>

Homeless students are individuals who lack a fixed, regular and adequate nighttime residence and include the following:

1. Students who are sharing the housing of other persons due to loss of housing, economic hardship or a similar reason; are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement.
2. Students who have a primary nighttime residence that is a public or private place not designated for or ordinarily used as a regular sleeping accommodation for human beings.
3. Students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings.
4. Migratory students who meet one of the above described circumstances.

#### **ENROLLMENT/PLACEMENT**

The district will consider the best interests of the student with parental involvement in determining whether the student should be enrolled in the school of origin or the school that nonhomeless student who lives in the attendance area in which the homeless student is actually living are eligible to attend. To the extent feasible, and in accordance with the student's best interest, the student should continue his/her education in the school of origin, except when contrary to the wishes of the parent or guardian. If the student is unaccompanied by a parent or guardian, the homeless coordinator will consider the views of the student in deciding where the student shall be educated. The choice regarding placement shall be made regardless of whether the student lives with the homeless parents or has been temporarily placed elsewhere. The school selected shall immediately enroll the homeless student, even if the student is unable to produce records normally required for enrollment, such as previous academic records, immunization records, proof of residency or other documentation. However, the district may require a parent or guardian of the student to submit contact information.

The district shall provide a written explanation, including a statement regarding the right to appeal, to the homeless student's parent/guardian, or to the homeless student if unaccompanied, if the district sends the student to a school other than the school of origin ("*school of origin*" is defined as the school that the student attended when permanently housed or the school in which the student was last enrolled) or other than a school requested by the parent or guardian.

If a dispute arises over school selection or enrollment in a school, the student shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute. The student or parent/guardian shall be referred to the district homeless coordinator, who will carry out the dispute resolution process as expeditiously as possible.

#### **SERVICES**

Each homeless student shall be provided services comparable to services offered to other students in the district including, but not limited to, transportation services; educational services for which the student meets eligibility criteria, such as educational programs for disadvantaged students, students with disabilities and gifted and talented students; vocational programs and technical education; school meals programs; preschool programs; before- and after-school care programs and programs for students with limited English proficiency. Homeless students will not be segregated in a separate school or in a separate program within a school based on the student's status as homeless.

#### **TRANSPORTATION**

In the event that it is in the best interest of the homeless student to attend the school of origin, transportation to and from school shall be provided at the request of the parent/guardian or, in the case of an unaccompanied student, the homeless coordinator. If the student's temporary housing is outside the district of the school of origin, the [district name] will work with the school of origin to agree on a method to apportion the responsibility and costs for transporting the student. If an agreement cannot be reached, the costs will be shared equally.

#### **RECORDS**

Any records ordinarily kept by the school, including immunization records, academic records, birth certificates, guardianship records and evaluations for special services or programs of each homeless child or youth shall be maintained so that appropriate services may be given the student, so that necessary referrals can be made and so that records may be transferred in a timely fashion when a homeless student enters a new school district. Copies of records shall be made available upon request to students or parents in accordance with the Family Educational Rights and Privacy Act.

#### **COORDINATOR**

The Board designates the following individual to act as the district's homeless coordinator:

Director of Federal Projects

Marshall County Board of Education

700 Jones Circle

Lewisburg, TN 37091

Phone: 931-359-1581 FAX: 931-270-8816

#### ***Homeless Students 6.503***

The district shall inform school personnel, service providers and advocates working with homeless families of the duties of the district homeless coordinator. The homeless coordinator shall ensure that:

1. Homeless students are identified by school personnel and through coordination activities with other entities and agencies.
  2. Homeless students enroll in, and have a full and equal opportunity to succeed in, schools in the district.
  3. Homeless families and students receive educational services for which such families and students are eligible, including Head Start, Even Start and preschool programs administered by the district and referrals to health care services, dental services, mental health services and other appropriate services.
  4. The parents or guardians of homeless students are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children.
  5. Public notice of the educational rights of homeless students is disseminated where such students receive services, such as schools, family shelters and soup kitchens.
  6. Enrollment disputes are mediated in accordance with law.
  7. The parent or guardian of a homeless student and any unaccompanied youth, is fully informed of all transportation services, including transportation to the school of origin and is assisted in accessing transportation to the school selected.
  8. Unaccompanied youths will be assisted in placement or enrollment decisions, their views will be considered and they will be provided notice of the right to appeal.
  9. Students who need to obtain immunizations, or immunization or medical records, will receive assistance.
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#### **Student Records/Use of Records Policy 6.603**

Authorized school officials will have access to and permit access to student education records for legitimate educational purposes.1 A "legitimate educational interest" is the official's need to know information in order to:

1. Perform required administrative tasks;
2. Perform a supervisory or instructional task directly related to the student's education;
3. Perform a service or benefit for the student or the student's family such as health care, counseling, student job placement, or student financial aid.

Authorized school officials may release information from or permit access to a student's education record without the parent(s) or eligible student's\* prior written consent in the following instances:

1. To comply with a judicial order or lawfully issued subpoena. The school system will make a reasonable effort to notify the student's parent(s) or the eligible student;
2. If the disclosure is an item of directory or statistical information;

3. To comply with the requirements of child abuse reports to the extent known by the school officials including the name, address and age of the child, the name and address of the person responsible for the care of the child, and the facts requiring the report;2
  4. When certain federal and state officials need information in order to audit or enforce legal conditions related to federally-supported education programs in the school system;
  5. When the school system has entered into a contract or written agreement for an organization to conduct scientific research on the system's behalf to develop tests or improve instruction, provided that the studies are conducted in a manner which will not permit the personal identification of students and their parents by individuals other than representatives of the organization and the information will be destroyed when no longer needed for the purpose for which the study was conducted;3
  6. To appropriate officials if the parent(s) claim the student as a dependent as defined by the Internal Revenue Code of 1954;4
  7. To accrediting organizations to carry out their accrediting functions;
  8. When a student seeks or intends to enroll in another school district or a post-secondary school. Parent(s) of students or eligible students have a right to obtain copies of records transferred under this provision;5
  9. To financial institutions or government agencies that provide or may provide financial aid to a student in order to establish eligibility, to determine the amount of financial aid, to establish conditions for the receipt of financial aid and to enforce financial aid agreements.
  10. To make the needed disclosure in a health or safety emergency when warranted by the seriousness of the threat to the student or other persons, when the information is necessary and needed to meet the emergency, when time is an important and limiting factor and when the persons to whom the information is to be disclosed are qualified and in a position to deal with the emergency.
  11. To the Attorney General or his designee for official purposes related to the investigation or prosecution of an act of domestic or international terrorism. An educational agency that, in good faith, produces education records in accordance with an order issued under this Act shall not be liable to any person for that production.6
- Authorized school officials may release information from a student's education record if the student's parent(s) or the eligible student gives written consent for the disclosure. The written consent must include:
1. A specification of the records to be released;
  2. The reasons for the disclosure;
  3. The person, organization, or class of persons or organizations to whom the disclosure is to be made;
  4. The signature of the parent(s) or eligible student;
  5. The date of the consent and, if appropriate, a date when the consent is to be terminated. The student's parent(s) or the eligible student may obtain a copy of any records disclosed under this provision.
- The school system will maintain an accurate record of all requests to disclose information from, or to permit access to, a student's education records. The system will maintain an accurate record of information it discloses and access it permits. The system will maintain this record as long as it maintains the student's education record.
- The record will include at least:
1. The name of the person or agency that makes the request;
  2. The interest the person or agency has in the information;
  3. The date the person or agency makes the request; and
  4. Whether the request is granted and, if it is, the date access is permitted or the disclosure is made.
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#### **Testing Programs Policy 4.700**

The Board shall provide for a system-wide testing program which shall be periodically reviewed evaluated. The purposes of the program shall be to:

1. Assist in promoting accountability;
2. Determine the progress of students;
3. Assess the effectiveness of the instructional program and student learning;
4. Aid in counseling and guiding students in planning future education and other endeavors;
5. Analyze the improvements needed in a given instructional area;
6. Assist in the screening of students with learning difficulties;1,2
7. Assist in placing students in remedial programs;
8. Provide information for college entrance and placement; and
9. Assist in educational research by providing data. The director of schools shall be responsible for planning and implementing the program, which includes:
  1. Determining specific purposes for each test;
  2. Selecting the appropriate test to be given;
  3. Establishing procedures for administering the tests;
  4. Making provision for interpreting and disseminating the results;
  5. Maintaining testing information in a consistent and confidential manner; and
  6. Ensuring that results are obtained as quickly as possible, especially when placement in a special learning program might be necessary. State-mandated student testing programs shall be undertaken in accordance with procedures published by the State Department of Education.3



Student scores on the Tennessee Comprehensive Assessment Program's grades three through eight (3-8) shall comprise fifteen (15%) percent of the student's final grade in the spring semester in the subject areas of mathematics, reading/language arts, science and social studies.<sup>4</sup> Students who do not take the TCAP test will be given a zero. They may appeal to the director of schools, who will determine if there are extraordinary circumstances which would warrant a summative test be given at grade level on the tested areas. This will be determined on a case-by-case basis. Other tests may be given as requested by students, teachers or parents when approved by the principal. Any test directly concerned with measuring student ability or achievement through individual or group psychological or socio-metric tests shall not be administered by or with the knowledge of any employee of the system without first obtaining written consent of the parents or guardians.<sup>2</sup> Results of all group tests shall be recorded on the students' permanent records and shall be made available to appropriate personnel in accordance with established procedures.<sup>5</sup> No later than July 31 of each year, the Board shall publish on its website information related to state and board mandated tests that will be administered during the school year. The information shall include:<sup>6</sup>

1. The name of the test;
2. The purpose and use of the test;
3. The grade or class in which the test will be administered;
4. The tentative date or dates that the test will be administered; and
5. The time and manner in which parents and students will be notified of the results of the test. Beginning with the

2015-2016 school year and for school years thereafter, the testing information shall also be placed in student handbooks or other school publications that are provided to parents on an annual basis.

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#### **Student Equal Access Policy 4.802**

##### **STUDENT MEETINGS**

Schools may allow students to form clubs or groups that meet before, during, and/or after the school day. Requests to form such clubs or groups shall not be denied based upon the religious nature or beliefs of proposed club or group. If permitted, school administrators shall ensure that all clubs and groups have the same abilities to access facilities and advertise their meetings.<sup>1,2,3,5</sup> No funds shall be expended by the school for any such meeting beyond the incidental costs associated with providing meeting space. Groups meeting under this policy may be required to pay a reasonable fee for compensating school personnel in the supervision of the activity. No student may be compelled to attend or participate in a meeting under this policy. A student or a group of students who wish to conduct a meeting under this policy must file an application with the principal at least three days prior to the proposed date.

The principal shall approve the meeting if he/she determines that:

1. The meeting is voluntary and student-initiated;
2. There is no sponsorship of the meeting or its content by the school, the Board, or its employees;
3. The meeting will not materially and substantially interfere with the orderly conduct of the school's educational activities or conflict with other previously scheduled meetings;
4. Employees of the district are to be present in a non-participatory monitoring capacity; however, no employee shall be required to attend in this capacity if the content of the meeting is contrary to the beliefs of the employee; and
5. Non-school persons will not direct, control or regularly attend.

##### **SCHOOL SPONSORED EVENTS 4**

If the Board or a school principal authorizes an event at which a student is to speak, a limited public forum shall be established for such student speakers. The appropriate administrators shall ensure that:

1. The forum is provided in a manner that does not discriminate against a student's voluntary expression of a religious viewpoint, if any, on an otherwise permissible subject;
2. There is an appropriate method of selecting student speakers which is based on neutral criteria;
3. Student speakers do not engage in speech that is obscene, vulgar, offensively lewd, indecent or promotes illegal drug use. To the extent possible and practical, prior to events in which students will speak, notice shall be provided orally and/or in writing that the student's speech does not reflect the endorsement, sponsorship, position, or expression of the Board and its employees. Beginning with the 2015-2016 school year, notice of this policy shall be provided in student handbooks and staff handbooks.