

# Rutherford County Board of Education

2240 Southpark Drive  
Murfreesboro, TN 37128

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**Committee  
Members**

*Chairman,*  
**Coy Young**

*Vice Chairman,*  
**Tiffany Johnson**

**Claire Maxwell**

**Jim Estes**

**Shelia Bratton**

**Lisa Moore**

**Tammy Sharp**

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**Dr. Kay Martin**

**Margaret Moore**

**Regina Harvey**

**Bill C. Spurlock**

**Sara Page**

**Jeff Reed**

## **SPECIAL CALLED POLICY COMMITTEE MEETING**

### **AGENDA**

**5:00 p.m.**

**December 1, 2020**

**Coy Young, Chairman**

**1. Call to Order**

**2. Pledge of Allegiance**

**3. Approval of Agenda**

**4. Policy Changes**

**a. Policy 1.803: Tobacco and Vape-Free Schools**

Removed language related to police action outside the school's control at the recommendation of the TSBA Annual Policy Manual Audit.

**b. Policy 3.400: Student Transportation Management**

Added a provision for the handling of unclaimed contracts/routes, and combined Policy 3.400 and 3.405 to make bus-related policies easier to locate. Some language was updated to match TSBA model policy.

**c. Policy 4.400: Textbook and Instructional Materials**

Combines the necessary/legally mandated portions of 4.400 and 4.401 and includes new waiver language allowed by the State Board.

**d. Policy 5.109: Evaluation**

Added required language directing the creation of grievance procedures. Recommended by the TSBA Annual Policy Manual Audit.

**e. Policy 5.202: Separation Practices for Non-Certified Employees**

Removes language implying a due process right to non-certified, at-will employees.

**f. Policy 5.302: Sick Leave**

Removed duplicative language found in Policy 5.305.

**g. Policy 5.304: Long-Term Leaves of Absence for Professional Personnel**

Removed duplicative language found in Policy 5.305.

**h. Policy 6.200: Attendance**

Removes language deeming "school-sponsored activities" excused absences. Under State Board Policy, students are now coded as "present" during such events.

**i. Policy 6.303: Interrogations and Searches**

Updated policy to more closely match TSBA policy due to evolving law related to search/seizures.

**j. Policy 6.402: Physical Examinations and Immunizations**

Clarified language to match TSBA model policy at its recommendation during the annual audit.

**k. Policy 6.411: Student Wellness**

Updated School Health Index to match State Board Policy, at TSBA recommendation.

**l. Policy 6.500: Special Education Students**

Updated language to match TSBA policy, and to clarify directive to create specific written procedures related to special education students.

**m. Policy 6.503: Homeless Students**

Full rewrite to match TSBA model policy and remove references to foster students.

**5. Policies for Consideration**

**a. Policy 4.209: Alternative Credit Options**

This model policy sets out online alternative credits and course access program language. State Board Policy requires adoption of such a policy. This is the TSBA model policy.

**b. Policy 4.6051: Substitutions for PE Credit**

Clarifies means for students to earn ½ credit of PE from non-traditional methods.

**c. Policy 5.3031: Leave for Religious Observance**

Establishes process for employees to request religious leave, already required under federal law. Clarifies that such leave is unpaid unless approved from already banked leave

**6. Policy Deletion**

**a. Policy 3.405: Contracted Bus Service**

Language of 3.405 has been merged into Policy 3.400, negating the need for this to be a standalone policy. (Only delete if Policy 3.400 is adopted).

**b. Policy 4.401: Textbooks**

Language of 4.401 has been merged into Policy 4.400, negating the need for this to be a standalone policy. (Only delete if Policy 4.400 is adopted).

**7. Adjournment**

# Rutherford County Board of Education

Monitoring:  <b>Review: Annually, in March</b>	Descriptor Term: <h2 style="text-align: center;">Tobacco and Vape-Free Schools</h2>	Descriptor Code: <b>1.803</b>	Issued Date: <b>09/18/19</b>
		Rescinds: <b>1.803</b>	Issued: <b>06/05/19</b>

- 1 All uses of tobacco, electronic/battery operated devices, vapor products, and all other associated
- 2 paraphernalia are prohibited in all of the school district's buildings and in all vehicles that are owned,
- 3 leased, or operated by the district.<sup>1</sup> Smoking and vaping shall be prohibited on school grounds including,
- 4 but not limited to, public seating areas, bleachers used for sporting events, or public restrooms.<sup>2</sup>
  
- 5 Employees may not smoke or vape anywhere on school grounds, including in the employee's car if on
- 6 school property. If an employee is given permission to leave school grounds to smoke or vape, the
- 7 employee must not be within 100 feet of any school entrance. The employee must not litter or trespass
- 8 on others' property.
  
- 9 Employees and students in the school district will not be permitted to use these products while they are
- 10 participants in any class or activity in which they represent the school district.
  
- 11 Any student who possesses these products may be disciplined ~~and/or issued a citation~~ by the school
- 12 principal ~~and/or school resource office~~.
  
- 13 Signs will be posted throughout the district's facilities to notify students, employees, and all other persons
- 14 visiting the school that the use of these products is forbidden.<sup>3</sup>

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Legal References

1. 20 USCA § 6083; TCA 39-17-1604(6); TCA 39-17-1503(9), (10)
2. TCA 39-17-1604(10)
3. TCA 39-17-1605

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Cross References

Community Use of School Facilities 3.206  
Code of Conduct 6.300

# Rutherford County Board of Education

Monitoring: <b>Review: Annually, in October</b>	Descriptor Term: <b>Student Transportation Management</b>	Descriptor Code: <b>3.400</b>	Issued Date: <b>10/31/18</b>
		Rescinds: <b>3.405</b>	Issued: <b>01/15/09</b>

1 ~~School buses shall be maintained and operated in accordance with state law and State Board Rules and~~  
 2 ~~Regulations.~~

3 The Director of Schools will contract annually **or as otherwise authorized by the Board** with individual  
 4 owners of buses to provide student transportation services.<sup>1</sup>

5 Each bus shall be equipped with the phone number for reporting safety complaints. This number shall  
 6 appear on the rear bumper.<sup>2</sup>

7 ~~To avoid the financial burden of replacing an aging bus fleet at any one time, the board shall attempt to~~  
 8 ~~replace a certain number of buses each year on a rotating basis.~~

9 All accidents, regardless of the damage involved, shall be reported to the Director of Transportation,  
 10 including incidents in which any part of the bus contacts any other object or vehicle.

11 The Director of Schools shall develop procedures to ensure compliance with the statutory and  
 12 regulatory requirements for the transportation program.

13 **RESPONSIBILITIES OF BUS OWNERS**

14 1. Each school bus and all related equipment shall be maintained in condition to operate safely at  
 15 all times during the school year and shall conform to specifications as set forth by the State Board  
 16 of Education and National Highway Traffic Safety Administration.<sup>2</sup>

17  
 18 2. Each bus driver shall obey all applicable state rules and regulations.

19  
 20 3. A school bus owner shall give sixty (60) days written notice to the Board when he/she wishes to  
 21 terminate his/her bus operation contract.

22  
 23 4. The Board shall carry liability insurance on all school buses used by Contractor in the minimum  
 24 amount of \$1,000,000 bodily injury per occurrence, \$100,000 property damage (One million/one  
 25 hundred thousand) liability limits and naming contractor as an additional insured. The Board will  
 26 provide Commercial General Liability coverage for contractors/operators as long as they are on  
 27 school business, in transit to or from, or taken for repairs or fuel. Said insurance shall include  
 28 uninsured motorist coverage. Contractor shall provide liability insurance for private trips and/or  
 29 any trip not approved and sanctioned by the Board.  
 30

- 1       5. Each school bus owner must specify for the Director of Schools' approval the name of the  
2       designated driver and at least one substitute driver of his/her bus.  
3
- 4       6. Each school bus driver shall submit to the Director of Schools the results of his latest physical  
5       examination.  
6
- 7       7. The Contractor shall furnish all route information requested by the school system, such as student  
8       names, school, grade, stops, number per stop, etc. Contractor shall supply by August 1 of each  
9       year and update within ten (10) days of any change the name, address and phone number of the  
10      person that will check the bus at the end of every route to confirm that no person remains on the  
11      bus.  
12
- 13      8. ~~A school bus owner shall secure the approval of the Director of Schools before he/she may sell~~  
14      ~~a bus during the period of his/her contract.~~ The sale of a bus does not obligate the Director of  
15      Schools to enter into contract with the new owner.

### 16      **DIRECTOR OF TRANSPORTATION<sup>3</sup>**

17      The Director of Schools shall appoint a Director of Transportation for the district. He/she shall be  
18      responsible for the monitoring and oversight of transportation services for the district.

19      The Director of Transportation shall complete a student transportation management training program  
20      upon appointment. Every year, the Director of Transportation shall complete a minimum of four (4)  
21      hours of training annually.

22      The Director of Schools shall ensure that training is completed and provide the Department of  
23      Education with appropriate documentation.

### 24      **COMPLAINT PROCESS<sup>4</sup>**

25      The following procedure will govern how students, teachers, staff, and community members shall  
26      submit bus safety complaints:

- 27      1. All complaints shall be submitted to the transportation supervisor on forms designated by the  
28      District;
- 29      2. Forms may be submitted in person, via mail or e-mail.
  - 30      a. The forms designated by the District will be located on the District website.

31      The transportation supervisor shall begin an investigation of all bus safety complaints within twenty-  
32      four (24) hours of receipt.

33      Within forty-eight (48) hours of receipt of the initial complaint, the transportation supervisor shall  
34      submit a preliminary report to the director of schools. This report shall include:

- 35      1. The time and date the complaint was received;

- 1 2. The name of the bus driver;
- 2 3. A copy or summary of the complaint; and
- 3 4. Any prior complaints or disciplinary actions taken against the driver.

4 Within sixty (60) school days of receiving the initial complaint, the transportation supervisor shall  
5 submit a final written report to the director of schools that details the investigation's findings as well as  
6 the action taken in response to the complaint.

7 An annual notice of this complaint process shall be provided to parents and students. This information  
8 shall be made available in the student handbook.

## 9 **RECORDKEEPING<sup>5</sup>**

10 The Director of Transportation shall be responsible for the collection and maintenance of the following  
11 records:

- 12 1. Bus maintenance and inspections forms;
- 13
- 14 2. Bus driver credentials, including required background checks, health records, and performance  
15 reviews;
- 16
- 17 3. Driver training records; and
- 18
- 19 4. Complaints received and any records related to the investigation and complaints.

## 20 **AWARDING AND RENEWING CONTRACTS**

### 21 *First Priority*

22 Each bus driver who holds a current driving eligibility status with the Rutherford County Board of  
23 Education and has been driving full-time for two (2) consecutive and complete school years may make  
24 application to be included on the First Priority list. Applications will be provided by the Transportation  
25 Department and must be filed in person with the Director of Transportation. The application will include  
26 a sworn, notarized affidavit declaring the total length of active time driving a school bus with the  
27 Rutherford County Schools System. Active time is defined as the time in which a driver has actively  
28 driven full-time while maintaining legal licensing supported by the documentation required under the  
29 bus contract. As new and replacement contracts become available throughout the term of the contract  
30 period, drivers on this list will be offered **all available** ~~one (1) bus contracts~~ in the order their names  
31 appear on the list, provided the driver continues to be eligible as a driver in Rutherford County and is in  
32 good standing with the Board.

33 The applicant must update their application upon any change in the information that has been provided  
34 to the Transportation Director. Each application will be reviewed for accuracy prior to a **contracts** being  
35 offered. Additionally, each applicant will be required to provide a fingerprint sample and pass a criminal  
36 history background check prior to a **contracts** being offered. In the event a **contracts** **are** is offered and  
37 rejected by the bus driver, the bus driver's name will be removed from the First Priority list. Any driver

1 who is hired by a contractor after the application deadline will be allowed to make application after  
2 driving full-time for two (2) consecutive and complete school years.

### 3 *Second Priority*

4 In the event the First Priority list is exhausted, the Second Priority list will be executed. Any contractor  
5 who has held one (1) or more bus contracts (~~with a maximum of six (6) bus contracts~~) will be eligible to  
6 make application for the Second Priority list. The application must be completed and submitted to the  
7 Transportation Director. The Transportation Director will schedule a lottery-style drawing annually to  
8 compile the list. Names will be placed on the list in the order they are drawn. As new and replacement  
9 contracts become available (after the First Priority list has been exhausted) throughout the term of the  
10 contract period, the drivers on the Second Priority list will be offered ~~one (1) bus contract~~ all available  
11 contracts in the order their names appear on the list, provided the driver continues to be eligible as a  
12 driver in Rutherford County and is in good standing with the Board. In the event a contractor rejects the  
13 available contracts offered, the bus contractor's name will be removed from the Second Priority list.

### 14 *Third Priority*

15 In the event the First and Second Priority List are exhausted, and contracts remain unclaimed, the  
16 Director of Transportation, at his/her discretion, may offer any remaining, new, or replacement contracts  
17 to any eligible provider qualified to provide student transportation, regardless of that provider's  
18 participation in First or Second Priority lists.

### 19 *Exchanges*

20 Contractors and/or drivers shall not exchange routes/contracts. After a route/contract is awarded, the  
21 route remains the responsibility of the Contractor for the duration of his/her contract with Rutherford  
22 County Schools. Exchanges may only occur with the express written permission of the Director of  
23 Transportation, after he/she determines such an exchange is essential to the functioning of Rutherford  
24 County Schools.

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#### Legal References

1. TCA 49-6-2101
2. TRR/MS 0520-01-.05

# Rutherford County Board of Education

Monitoring: <b>Review: Annually, in November</b>	Descriptor Term: <b>Textbooks and Instructional Materials</b>	Descriptor Code: <b>4.400</b>	Issued Date:
		Rescinds: <b>4.401</b>	Issued:

## 1 **General**

2 All classrooms shall be equipped with the textbooks and instructional materials needed to provide quality  
3 learning experiences for students in accordance with state law.<sup>1</sup> The Board shall provide a wide range of  
4 textbooks and instructional materials that cover all levels of difficulty, generate critical thinking, and  
5 support the educational programs.

## 6 **SELECTION<sup>2</sup>**

7 The responsibility to select textbooks and instructional materials, as recommended by the State Textbook  
8 Commission, rests with the local textbook selection committees, subject to approval by the Board. Use  
9 of textbooks and instructional materials not on the list approved by the State Textbook Commission is  
10 permissible if the Board submits a waiver to the State Board of Education and such waiver is approved.

11 The Director of Schools, in consultation with the Assistant Superintendent of Curriculum and  
12 Instruction, shall make a recommendation of the number of committee members needed and the  
13 nominees based upon the subject matter field(s) and the grade levels for which the adoption includes.  
14 Announcement of the Textbook Adoption Committee nomination shall be posted on the Rutherford  
15 County Schools website at least thirty days prior to the committee nominations being presented to the  
16 Board for review and approval.

## 17 *Committee Composition*

18 Review committees shall be set-up by grade-level groups and subject matter fields, and be composed of  
19 teachers, supervisors, parents with children enrolled in Rutherford County Schools at the time of the  
20 appointment to a committee, with the optional inclusion of experts in grade-level or subject matter field  
21 for which the textbooks and instructional materials are to be reviewed. Each committee shall be chaired  
22 by the Instructional Coordinator, Supervisor, or Specialist over the subject matter field for which the  
23 review is covering. The committee shall be composed of the following percentages:

- 24 1. Teacher and/or Supervisor nominees shall include persons from at least 50% of Rutherford  
25 County Schools in which the adopted materials will be used.
- 26 2. The number of parents on each review committee shall comprise no less than 10%, but no more  
27 than 20%, of the committee total.
- 28 3. Principals in consultation with the Parent-Teacher Organization leadership shall submit up to two  
29 persons for consideration.
- 30 4. Experts are optional. They may be college professors, or credentialed subject matter specialists.  
31 Experts may comprise up to 10% of the committee total.



1 The members of the committee shall serve for the length of time the adoption process for which they are  
2 appointed lasts.

### 3 **INSPECTION AND REVIEW**

4 The Director of Schools shall establish a procedure for providing citizens of the community with an  
5 opportunity to examine proposed textbooks and instructional materials prior to their final adoption,<sup>3</sup>  
6 including public notice of the time and location at which textbooks and instructional materials may be  
7 examined. Once approved by the Board, the Director of Schools shall post the list of all approved  
8 textbooks and instructional materials on the school district's website and send a copy of the list to the  
9 Commissioner of Education.<sup>2</sup>

10 A list of textbooks and instructional materials shall be revised annually by principals under the direction  
11 of the Director of Schools.

12 Upon request, parent(s)/guardian(s) shall have the ability to inspect any textbooks and instructional  
13 materials including, but not limited to, teaching materials, handouts, and tests that are developed by  
14 and graded by their child's teacher.

15 The Director of Schools shall develop procedures for the inspection of materials and distribute these  
16 procedures to each principal.

### 17 **DISTRIBUTION**

18 The Director of Schools shall designate an employee to be responsible for the purchase and distribution  
19 of textbooks and instructional materials in each school. Students shall receive these items at no cost.

### 20 **CARE OF TEXTBOOKS AND INSTRUCTIONAL MATERIALS<sup>4</sup>**

21 Textbooks and instructional materials are property of the Board and shall be returned at the end of the  
22 school year, upon completion of the course, or upon withdrawal from a course or school.  
23 Parent(s)/guardian(s) are to sign an agreement stating they shall be responsible for the textbooks and  
24 instructional materials received and used by their children.

25 The following reimbursement schedule shall be used as a guide for collecting fines for lost or destroyed  
26 books:

27 <u>AGE OF BOOK</u>	28 <u>AMOUNT COLLECTED</u>
29 1—2 Years	100% Replacement Cost
30 3 – 4 Years	75% Replacement Cost
31 5 or More Years	50% Replacement Costs

32 The Board shall approve and periodically review a schedule of fines for damaged books. In cases where  
33 the book is damaged to the extent it is no longer useable, the amount collected shall conform to the  
34 reimbursement schedule for lost books. A fine may only be assessed in cases where the student or parent  
35 damages, loses, or defaces the textbook either through willful intent or neglect.

36  
37 Following an interview with parties and an investigation, if needed, the principal may assess the  
38 appropriate fine and notify the parent in writing.

1 The principal may include with the notice a provision stating that failure to pay the fine imposed within  
2 a reasonable time may result in the imposition of one of the following sanctions:

3  
4 1. Refusal to issue any additional textbooks until restitution is made; or

5  
6 2. Withholding all grade cards, **diplomas**, certificates of progress, or transcripts until restitution is  
7 made.

8 The principal may waive the assessment of fines when, in his/her judgment, the student is the victim of  
9 an uncontrollable circumstance and/or not responsible for the damage.

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Legal References

1. TCA 49-6-2207; TCA 49-2-203(a)(3)
2. TCA 49-6-2207(c), (e), (f); TCA 49-6-2202(d);  
TRR/MS 0520-01-18-.02
3. 20 USCA § 1232h(a); TCA 49-6-7003
4. TCA 49-3-310(1)(B); TRR/MS 0520-01-02-.16(2)

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Cross Reference

- Surplus Property Sales 2.403  
Reconsideration of Instructional Materials and Textbooks  
4.403  
Controversial Materials 4.801  
Student Fees and Fines 6.709

# Rutherford County Board of Education

Monitoring: <b>Review: Annually, in February</b>	Descriptor Term:  <b>Evaluation</b>	Descriptor Code: <b>5.109</b>	Issued Date: <b>06/16/11</b>
		Rescinds: <b>5.109</b>	Issued: <b>12/03/09</b>

1 The evaluation of performance and its effectiveness must be a cooperative and shared endeavor on the  
2 part of the director of schools and administrative and supervisory personnel.

3 The Board shall use a state-approved model for evaluating administrative and supervisory personnel  
4 and shall approve standard forms to be used in evaluating support personnel.

5 The director of schools is responsible for ensuring that all administrative and supervisory personnel are  
6 evaluated annually.

## 7 **LICENSED TEACHING PERSONNEL**

8 The Board shall use guidelines developed by the State Board of Education for implementation of an  
9 approved evaluation system. Annual evaluation shall be made of apprentice teachers who have not  
10 gained tenure and a professional license. Professionally licensed educators will be evaluated pursuant  
11 to statutory requirements.<sup>1</sup>

12 If the state-approved model is not used, the Board shall submit to the Commissioner of Education for  
13 approval, an evaluation plan with implementation procedures, validation procedures and training plans.  
14 The evaluation plan shall be reviewed at least annually for improvement and revision. All changes in  
15 the evaluation system shall be submitted by July 1 prior to the proposed implementation year.

16 The Board shall annually submit for state review and approval, the evaluations and recommendations  
17 of all apprentice teachers who are in their **final** apprentice year.<sup>2</sup> Evaluation deadlines for first- and  
18 second-year apprentice teachers and professionally licensed teachers shall be May 1.<sup>3</sup>

19 Teachers shall be evaluated for the following purposes:

- 20 1. Accountability - to assure that evaluation considers the effectiveness in the classroom and in  
21 the school.
- 22 2. Professional Growth - to provide a focus for professional growth in an area(s) which has the  
23 greatest capacity for facilitating student performance.
- 24 3. Cohesive School Structure - to increase and focus the dialogue within schools on the goal(s)  
25 of improved services to students.<sup>4</sup>

26 Evaluations will be conducted by a school administrator and/or designee(s). All evaluators shall be  
27 trained and certified through state-sanctioned training in the evaluation procedures before conducting  
28 evaluations. The principal shall be responsible for the final evaluation decision.<sup>4</sup>

1 Evaluations shall use multiple data sources which include but are not limited to:

- 2 1. Classroom or position observations including planning and reflecting information and/or
- 3 review;
- 4 2. Review of previous evaluations and an educator self-assessment;
- 5 3. Conferences;
- 6 4. Examination of professional growth;
- 7 5. Review of indicators of student progress; and
- 8 6. Examination of assessment techniques, results and applications.

9 As part of the evaluation process, a growth plan shall be developed for all teachers. The plan shall be  
10 developed collaboratively by the teacher and the immediate supervisor and/or principal. The plan shall  
11 include identified area(s) for growth, action plan, and progress reporting procedures.<sup>4</sup>

12  
13 The Director of Schools shall be responsible for establishing procedures to facilitate a local-level  
14 grievance process in compliance with the State Board of Education's Teacher Evaluation Policy. This  
15 procedure shall provide a means for evaluated teachers and principals to challenge only the accuracy of  
16 the data used in the evaluation and the adherence to the evaluation policies adopted by the State Board  
17 of Education.<sup>5</sup>

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Legal References:

1. TRR/MS 0520-2-1-.01
2. TRR/MS 0520-2-1-.03
3. TRR/MS 0520-2-1-.02 (1)(c)
4. TRR/MS 0520-2-1-.02
5. TRR/MS 0520-2-1-.01(4)

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Cross References:

Job Descriptions 5.103

# Rutherford County Board of Education

Monitoring: <b>Review: Annually, in February</b>	Descriptor Term: <b>Separation Practices for Non- Certified Employees</b>	Descriptor Code: <b>5.202</b>	Issued Date: <b>01/12/12</b>
		Rescinds: <b>5.202</b>	Issued: <b>01/15/09</b>

## 1 **SUSPENSION**

2 A director of schools/designee may suspend an employee at any time when deemed necessary.<sup>1</sup> ~~Before~~  
3 ~~an employee is suspended s/he shall be: (1) provided with reasons for the suspension; (2) given an~~  
4 ~~opportunity to respond; and (3) given a written decision of the suspension.~~

5 Under no circumstances shall a director of schools suspend an employee with pay. If reinstated, the  
6 employee shall be paid full salary for the period of suspension, unless suspension without pay is  
7 deemed to be an appropriate penalty.

## 8 **DISMISSAL**

9 All non-certified (classified) employees are employed at the will of the director. The director of  
10 schools may dismiss any non-certified employee during the contract year for any lawful reason.

## 11 **RESIGNATION**

12 Support personnel shall give the immediate supervisor written notice of resignation at least two (2)  
13 weeks (ten (10) working days) in advance of the effective date of voluntary termination. The ten (10)  
14 working days may be waived by the director of schools for justifiable reason.

15 The immediate supervisor shall forward copies the day received to the director of schools' office. The  
16 payroll office will prepare final payment for the next appropriate scheduled pay day.

## 17 **RETIREMENT**

18 Retirement shall mean a termination of services under conditions which will allow the employee to  
19 draw benefits from retirement plans and/or social security benefits.

20 Employees eligible for retirement benefits may elect to retire at any age according to the provisions of  
21 the retirement system.

22 Central office personnel shall assist employees in securing retirement benefits; however, it shall be the  
23 responsibility of the retiring employee to provide verification of eligibility in writing from TCRS to the  
24 central office. It shall be the responsibility of the retiring employee to file for benefits.

25 Employees who retire under TCRS may be employed up to one-hundred-twenty (120) days per year  
26 without loss of retirement benefits.

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Legal Reference:

1. TCA 49-2-301 (b)(1)(EE)(FF)

# Rutherford County Board of Education

Monitoring: <b>Review: Annually, in March</b>	Descriptor Term:  <b>Sick Leave</b>	Descriptor Code: <b>5.302</b>	Issued Date: <b>09/18/19</b>
		Rescinds: <b>5.302</b>	Issued: <b>10/31/18</b>

## 1 PROFESSIONAL PERSONNEL

2 The time allowed for sick leave for professional personnel shall be one (1) day for each month employed  
3 during the school year and shall accumulate for an unlimited number of days.<sup>1</sup>

4 Sick leave shall be defined as: illness of a teacher from natural causes or accident, quarantine, or illness  
5 or death of a member of the immediate family of a teacher, including the teacher's wife or husband,  
6 parents, grandparents, children, grandchildren, brothers, sisters, mother-in-law, father-in-law, daughter-  
7 in-law, son-in-law, brother-in-law, and sister-in-law.<sup>2</sup>

8 A signed statement listing the cause of absence shall be provided by the employee on forms furnished  
9 by the Director of Schools and shall promptly be given to the immediate supervisor in support of all  
10 claims for sick leave pay. A falsified statement shall be grounds for termination.

11 A certificate from the physician on forms furnished by the Board may be required in support of any  
12 claim for sick leave pay<sup>1</sup> and will always be required in support of absences for more than three (3)  
13 consecutive days. The procedures for long-term leaves are addressed in Board Policy 5.304.

14 Permanent, cumulative sick leave records for each active professional employee shall be kept in the  
15 Director of Schools' office.

16 A teacher, upon employment, may transfer his/her accumulated sick leave from another Tennessee  
17 school system, provided that the director of schools of the system in which the accumulated leave was  
18 held provides notarized verification.<sup>3</sup>

19 In accordance with state law, any teacher who goes on maternity leave shall be allowed to use all or a  
20 portion of the teacher's accumulated sick or annual leave for maternity leave purposes. In order to be  
21 eligible to use sick leave, written request of the teacher accompanied by a statement from the teacher's  
22 physician verifying pregnancy shall be submitted. Upon verification by a written statement from an  
23 adoption agency or other entity handling an adoption, a teacher may also be allowed to use accumulated  
24 leave for adoption of a child. If both adoptive parents are teachers employed by the district, however,  
25 only one (1) parent is entitled to use such leave. The procedures for Family and Medical Leave are  
26 addressed in Board Policy 5.305.

27 Personnel shall be granted bereavement leave up to three (3) days per event in the event of death of an  
28 immediate family member. Interim employees and re-employed retirees will be granted bereavement  
29 leave up to three (3) days per event in the event of death of an immediate family member after six (6)

1 months of employment. Immediate family member shall include the employee's spouse/legal guardians,  
2 parents, grandparents, children, grandchildren, siblings, mother-in-law, father-in-law, daughter-in-law,  
3 son-in-law, brother-in-law, sister-in-law, step-mother, step-father, step-siblings, step-children, step-  
4 grandchildren, and foster children. Personnel shall be granted bereavement leave up to one (1) day per  
5 event in the event of death of a cousin, aunt, uncle, niece, or nephew. If additional days are needed for  
6 out of state travel, personnel shall discuss with the principal the need to use up to two (2) additional sick  
7 days without the requirement of a doctor's note. Personnel will be responsible for submitting  
8 bereavement documentation within five (5) working days of returning to work.

9 The time allowed/days earned for sick leave shall be one (1) day for each month an employee is  
10 employed. Interim certified teachers will earn one (1) sick day per month upon contracting with the  
11 District. All other interim employees shall begin earning one (1) day of sick leave for each month  
12 employed by the District after six (6) months of interim employment.

13 Retired personnel re-employed by the District after employee's retirement shall not earn sick leave.

#### 14 **SUPPORT PERSONNEL**

15 Support personnel shall earn one (1) day of sick leave for each month an employee is employed.

16 At the termination of the employment of any employee, all unused sick leave accumulated by the  
17 employee shall be terminated.

18 The immediate supervisor may require a physician's certificate stating the reason for absence of three  
19 (3) or more consecutive days

#### 20 **SICK LEAVE BANK**

21 The purpose of the sick leave bank is to provide sick leave to all employees<sup>4</sup> who have suffered an  
22 unplanned personal illness, injury, disability, or quarantine and whose personal sick leave is exhausted.

23 To form a sick leave bank, a minimum of twenty (20) employees from the school system shall petition  
24 the Board for permission to establish a sick leave bank.<sup>5</sup> Upon approval, sick leave bank trustees shall  
25 be appointed and shall operate as the governing body of the sick leave bank and shall enact rules and  
26 regulations consistent with state law.<sup>6</sup> Employees wishing to participate shall initially give a maximum  
27 of three (3) days of sick leave. These days are to be deducted from the employee's personal accumulation  
28 and donated to the sick leave bank. Donations of sick leave to the bank are nonrefundable and  
29 nontransferable.<sup>7</sup>

30 At any time, the number of days in the sick leave bank is less than twenty (20), or one (1) per employee  
31 if there are more than twenty (20) members, or at any time deemed advisable, the trustees shall assess  
32 each member one (1) or more days of accumulated sick leave. If an employee has no accumulated sick  
33 leave at the time of assessment, the first earned days shall be donated as they are accrued by the  
34 employee.<sup>7</sup>



- 1 An employee who is a member of the sick leave bank may request an allotment of days (for the
- 2 employee's personal illness only) in the manner designated by the trustees. The need for these days must
- 3 be verified by a statement from a doctor.
  
- 4 By written notice to the trustees, an employee may withdraw from bank participation on June 30 of any
- 5 year.<sup>8</sup> Membership withdrawal results in forfeiture of all days contributed.
  
- 6 The sick leave bank shall be operated in accordance with state law.

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**Legal References**

1. TCA 49-5-710(a)(1)
2. TRR/MS 0520-01-02-.04(2)
3. TCA 49-5-710(a)(5)
4. TCA 49-5-811
5. TCA 49-5-803
6. TCA 49-5-804; TCA 49-5-805
7. TCA 49-5-807
8. TCA 49-5-806

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**Cross References**

- Long-Term Leaves of Absence 5.304
- Family and Medical Leave 5.305
- Physical Assault Leave 5.307

## Rutherford County Board of Education

Monitoring: <b>Review: Annually, in February</b>	Descriptor Term: <b>Long-Term Leaves of Absence for Professional Personnel</b>	Descriptor Code: <b>5.304</b>	Issued Date: <b>08/13/15</b>
		Rescinds: <b>5.304</b>	Issued: <b>11/20/14</b>

1 All personnel holding a position that requires a teacher's license shall be granted leave for military  
2 service, legislative service, maternity, adoption or recuperation of health without loss of accumulated  
3 leave credits, tenure status or other fringe benefits. All leaves (military, legislative, maternity,  
4 adoption and recuperation of health) shall be requested in writing at least thirty (30) days in advance  
5 on forms provided by the Director of Schools. The thirty (30) day notice may be waived or reduced by  
6 the director of schools upon submission of a certified statement by a physician. The application for  
7 leave forms shall require:

- 8 1. A brief description of the type of leave requested;
- 9 2. The requested dates for beginning and ending leave; and
- 10 3. A statement of intent to return to the position from which leave is granted along with a  
11 physician's statement releasing the employee to return to work;
- 12 4. A physician's statement supporting the initial request for leave and any extension requested.

13 Each applicant shall be notified in writing of the action of the director and the beginning and ending  
14 dates of the leave which is granted. All leaves, except military leave, shall be from a specific date to a  
15 specific date. However, any medical leave may be extended by the director of schools upon written  
16 request from the employee. Military leave shall be granted for whatever period may be required. The  
17 procedure and condition for extending leave are the same as those used when the original request was  
18 granted. A maximum of two consecutive years of extended leave of absence for legislative service or  
19 recuperation of health may be taken in a career with the Rutherford County Board of Education.

20 Certified positions vacated by teachers on nonpaid leave shall be filled with a substitute or interim  
21 teacher while the teacher is on leave. If the leave does not exceed twelve (12) months the teacher shall  
22 be returned to the same position. If the leave exceeds twelve (12) months, the teacher shall be placed  
23 in the same or comparable position upon return.

24 Any teacher on leave shall notify the director of schools at least thirty (30) days prior to the date of the  
25 return if the teacher does not intend to return to the same position from which he or she is on leave.  
26 Failure to give such notice shall be considered breach of contract.

### 27 **PAY AND BENEFITS**

28 All leave granted in conformance with this policy shall be without pay except as may be covered by  
29 sick leave in the case of maternity and recuperative leaves. Employees shall have the opportunity to  
30 continue participation, at their own expense, in group insurance plans subject to restrictions of the  
31 insuring carrier. Arrangements for direct payment shall be made by the employee directly with the  
32 insurance clerk.

1 ~~Employees who take leave under the provisions of the Family Medical Leave Act (FMLA) shall have~~  
2 ~~the same portion of their insurance premiums paid by the Board as is paid for active employees. This~~  
3 ~~leave is limited to twelve (12) weeks and subject to the restrictions and conditions of the Family~~  
4 ~~Medical Leave Act (FMLA).~~

5

6

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Legal References

1. TCA 49-5-702
2. TCA 49-5-703
3. TCA 49-5-704
4. TCA 49-5-705
5. TCA 49-5-706

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Cross References

Family and Medical Leave 5.305  
Military Leave 5.306  
Physical Assault Leave 5.307  
Sabbatical Leave 5.308  
Legislative Leave 5.309  
Interim Employees 5.700

# Rutherford County Board of Education

Monitoring: <b>Review: Annually, in March</b>	Descriptor Term:  <b>Attendance</b>	Descriptor Code: <b>6.200</b>	Issued Date: <b>07/28/20</b>
		Rescinds: <b>6.200</b>	Issued: <b>06/05/19</b>

1 Attendance is a key factor in student achievement, and therefore, students are expected to be present  
2 each day school is in session.

3 The attendance supervisor shall oversee the entire attendance program which shall include:<sup>1</sup>

- 4 1. All accounting and reporting procedures and their dissemination;
- 5 2. Alternative program options for students who severely fail to meet minimum attendance  
6 requirements;
- 7 3. Ensuring that all school age children attend school;
- 8 4. Providing documentation of enrollment status upon request for students applying for new or  
9 reinstatement of driver's permit or license; and
- 10  
11 5. Notifying the Department of Safety whenever a student with a driver's permit or license  
12 withdraws from school.<sup>2</sup>

13 Student attendance records shall be given the same level of confidentiality as other student records. Only  
14 authorized school officials with legitimate educational purposes may have access to student information  
15 without the consent of the student or parent/guardian.<sup>3</sup>

16 Absences shall be classified as either excused or unexcused as determined by the principal/designee. If  
17 an absence is unexcused, the work missed may be made up for credit within five (5) days of returning to  
18 school from said absence.

19 Out-of-school suspension days will be considered unexcused absences and students absent for out-of-  
20 school suspension shall be allowed to make up the work missed within five (5) days of returning to  
21 school from said absence and receive eighty percent (80%) of the grade earned. If a grade was not taken  
22 for the day missed, no deduction in grades will occur because of the absence.

23 Excused absences shall include:<sup>4</sup>

24 1. Personal illness/injury

- 25 a. A note from the student's parent/guardian or legal custodian will be required upon the  
26 student's returning to school. The note should include the reason(s) for and the date(s)  
27 of the absence. Upon returning to school, a student has five (5) school days in which

- 1 to submit a note. After that time period has elapsed, the absence(s) will become  
2 permanently unexcused.
- 3 b. The school may accept a written note from a parent/guardian or legal custodian  
4 verifying a student's illness for up to a total of eight (8) accumulated days during the  
5 school year. However, if a student is absent due to illness more than a total of eight  
6 (8) accumulated days, a doctor's note specifying inclusive dates for the illness must  
7 be submitted in order for any subsequent absences due to illness to be excused.  
8
- 9 2. Illness of immediate family member
- 10 a. A doctor's statement may be required after three (3) days. Immediate family member  
11 is defined as a student's parent/guardian or sibling.  
12
- 13 3. Death in the family
- 14 a. One day shall be excused for death of family members. Additional days will be  
15 excused at the discretion of the principal.
- 16 b. If the death is not of a family member, the principal may approve as an unexcused  
17 absence with appropriate documentation.
- 18 4. Extreme weather conditions
- 19 5. Religious observances<sup>5</sup>
- 20 6. Military Service of Parent/Guardian<sup>6</sup>
- 21 a. School principals shall provide students with a one-day excused absence prior to the  
22 deployment of and a one-day excused absence upon the return of a parent/guardian  
23 or immediate family member serving active military service.  
24
- 25 b. Principals shall also allow up to ten (10) excused cumulative absences per year for  
26 students to visit a parent/guardian during a deployment cycle. The student shall  
27 provide documentation to the school as proof of his/her parent's/guardian's  
28 deployment. Students shall be permitted to make up schoolwork missed during these  
29 absences.<sup>6</sup>
- 30 7. Pregnancy
- 31 8. ~~School sponsored or school endorsed activities~~
- 32 9. Summons, subpoena, or court order
- 33 a. Written verification of the appearance and the time involved must be submitted  
34 upon the student's return to school. These excuses may be obtained through the  
35 Court Clerk's office.  
36
- 37 10. Circumstances which in the judgment of the principal create emergencies over which the  
38 student has no control.

1 The principal shall be responsible for ensuring that:<sup>7</sup>

- 2 1. Attendance is checked and reported daily for each class;
- 3
- 4 2. Daily absentee sheets contain sign in/sign out sheets and indicate students present or absent
- 5 for the majority of the day;
- 6 3. All student absences are verified;
- 7 4. Written excuses are submitted for absences and tardiness; and
- 8 5. System-wide procedures for accounting and reporting are followed.

## 9 **DISTANCE LEARNING ATTENDANCE**

10 All RCS attendance policies apply to students participating in distance learning. In order for distance  
11 learning students to be considered present for the day, the student must be interacting and responding  
12 to instruction. The teachers will take attendance for each class based on the following:

- 13 1. Submission of an assignment for the class;
- 14 2. Participation in an online discussion for the class;
- 15 3. Participation in synchronous learning in an online classroom;
- 16 4. Completion of an assessment for the class;
- 17 5. Discussion with the teacher/class via phone calls, email, or online meeting in a virtual format;
- 18 6. Other participation as determined by the principal.

19 Students with three unexcused absences shall be subject to the progressive truancy intervention  
20 framework contained in this Policy.

## 21 **TRUANCY**

### 22 *General*

23 Students shall be present at least fifty percent (50%) of the scheduled school day in order to be counted  
24 present. Students receiving special education services may attend part-time days, alternating days, or for  
25 a specific amount of time as indicated in their Individualized Education Plan.

26 If a student is required to participate in a remedial instruction program outside of the regular school day  
27 where there is no cost to the parent(s) and the school system provides transportation, unexcused absences  
28 from these programs shall be reported in the same manner.<sup>8</sup>

29 Students who are absent five (5) days without adequate excuse shall be reported to the Director of  
30 Schools/designee who will, in turn, provide written notice to the parent(s)/guardian(s) of the student's  
31 absence. The Director of Schools/ designee shall also comply with state law regarding the reporting of  
32 truant students to the proper authorities. If a student accumulates a total of five (5) unexcused absences,  
33 then he/she is subject to referral to juvenile court.<sup>8</sup>

1 The Director of Schools/designee shall develop appropriate administrative procedures to implement this  
2 policy.

3 *Progressive Truancy Intervention Plan*<sup>9</sup>

4 Students with three (3) unexcused absences shall be subject to the progressive truancy intervention  
5 framework outlined below.

6 **Tier I**

7 1. A conference with the student and the student's parent/guardian;

8

9 2. An attendance contract, based on the conference, signed by the student, the parent/guardian, and  
10 an attendance officer. The contract shall include:

11

12 a. A specific description of the school's attendance expectations for the student;

13 b. The period for which the contract is effective. The term of the contract must not exceed  
14 ninety (90) school days or continue beyond the last day of the semester, whichever comes  
15 first; and

16 c. Penalties for additional absences and alleged school offenses, including additional  
17 disciplinary action and potential referral to juvenile court; and

18

19 3. Regularly scheduled follow-up meetings to discuss the student's progress.

20 If the student accumulates additional unexcused absences in violation of the attendance contract, he/she  
21 shall be subject to the additional intervention tiers.

22 **Tier II**

23 If a student accumulates additional unexcused absences in violation of attendance contract in tier one,  
24 the student will be subject to tier two.

25 An individualized assessment by a school employee of the reasons a student has been absent from school.  
26 This may result in referral to counseling, community-based services, or other services to address the  
27 student's attendance problems.

28 **Tier III**

29 This tier will be implemented if the truancy interventions under tier two are unsuccessful.

30 The Director of Schools shall develop procedures for the implementation of a progressive truancy  
31 intervention process under tier three.

32 **COLLEGE VISITS**<sup>10</sup>

33 Any high school student wishing to participate in a postsecondary school visit during the school year  
34 shall submit to the principal/designee prior notice from the his/her parent/guardian specifying the date

1 of the school visit. The parent(s)/guardian(s) of the student shall be responsible for facilitating any  
2 postsecondary school visits and for ensuring the safety of the student during the visit.

3 The principal/designee shall count a student present for no more than three (3) days each school year for  
4 students participating in a postsecondary school visit. The student shall be counted present for the day  
5 of the postsecondary school visit and shall not be counted present during any travel days.

6 In order to be counted present for the school day missed, the student shall submit to the  
7 principal/designee a signed letter or form from a campus official verifying that the visit to the  
8 postsecondary school occurred.

9 The student shall complete any school work missed due to the student participating in a postsecondary  
10 school visit.

### 11 **PERFECT ATTENDANCE**

12 To be eligible for perfect attendance, a student must be in attendance for a length of time equal to the  
13 state's minimum hourly requirement for a school day. To have perfect attendance in a particular class,  
14 a student must be present every day for over half of the class period.

15 Any student who misses class or a day of school because of observance of a day set aside as sacred by  
16 a religious denomination of which the student is a member or adherent, shall be deemed to have met  
17 the requirements of perfect attendance if his/her only absences were related to such observance.

18 Any student who misses class or a day of school because of a scheduled visit to a college or university  
19 shall be deemed to have met the requirements of perfect attendance if his/her only absences were  
20 related to such visit. Any student who misses class or a day of school because of earning an exemption  
21 from exams shall be deemed to have met the requirements for perfect attendance if his/her only  
22 absences were related to the exemptions.

### 23 **POSITIVE INCENTIVES FOR PERFECT ATTENDANCE**

24 Grades K-8

25 Individual schools are encouraged to provide incentives for regular attendance.

26 Grades 9-12

27 Final Exam Exemptions (Other than state mandated End of Course Exams)-Eligibility for exam  
28 exemptions (other than state mandated End of Course Exams) begins the first day of school. The final  
29 decision regarding final exemption of any student will be determined by the principal/designee. Any  
30 student who has been suspended (in-school or out-of-school) is not eligible for exemptions. The criteria  
31 for final exam exemption are as follows:

32 Full Year Classes	One Semester Class
33 8 absences-A average	4 absences-A average
34 6 absences-B average	3 absences-B average



- |   |                      |                      |
|---|----------------------|----------------------|
| 1 | 4 absences-C average | 2 absences-C average |
| 2 | 2 absences-D average | 1 absence-D average  |

3 **ABSENCES MAY NOT BE MADE UP FOR THE PURPOSE OF QUALIFYING FOR EXAM**  
4 **EXEMPTION.**

5 Any student in Rutherford County Schools with four (4) years perfect attendance will receive recognition  
6 for this achievement.

7 **TARDIES K-12**

8 Being on time to school and class is essential for optimum teaching and learning. When a student is  
9 tardy, he/she disrupts this process for others and loses important learning time for himself/herself. School  
10 bus transportation is provided free of charge to students of Rutherford County. For this reason, tardies  
11 related to car problems, traffic, oversleeping, etc. are not valid reasons for tardiness. To receive an  
12 excused tardy when late to school, the student must either:

- 13
- 14 a. A doctor's statement;
  - 15 b. An official court notice; or
  - 16 c. A parent conference or a parent's telephone call and approval by the administration.  
17 (Personal illness would be excused.)

18 **STATE-MANDATED ASSESSMENT**

19 Students who are absent the day of the scheduled EOC exams must present a signed doctor's excuse or  
20 must have been given an excused release by the principal prior to testing to receive an excused absence.  
21 Students who have excused absences will be allowed to take a make-up exam. Excused students will  
22 receive an incomplete in the course until they have taken the EOC exam.

23 Students who have an unexcused absence shall receive a failing grade on the course exam which shall  
24 be averaged into their final grade.

25 **CREDIT/PROMOTION DENIAL**

26 Credit/promotion denial determinations may include student attendance; however, student attendance  
27 may not be the sole criterion.<sup>11</sup> If attendance is a factor, prior to credit/promotion denial, the following  
28 shall occur:

- 29 1. The student and the parent/guardian shall be advised if student is in danger of credit/promotion  
30 denial due to excessive absenteeism.
- 31
- 32 2. Procedures in due process are available to the student when credit or promotion is denied.

## 1 DRIVER'S LICENSE REVOCATION<sup>2</sup>

2 More than ten (10) consecutive or fifteen (15) reported unexcused absences by a student during any  
3 semester renders a student ineligible to retain a driver's permit or license, or to obtain such if of age.

4 In order to qualify for reclaiming a driver's permit or license, the student must make a passing grade in  
5 at least three (3) full unit subjects or their equivalency at the conclusion of a subsequent grading period.

## 6 ATTENDANCE HEARING<sup>12</sup>

7 Students with excessive (more than 5) unexcused absences or those in danger of credit/promotion denial  
8 shall have the opportunity to appeal to an attendance hearing committee appointed by the principal. If  
9 the student chooses to appeal, the student or his/her parent(s)/guardian(s) shall be provided written or  
10 actual notice of the appeal hearing and shall be given the opportunity to address the committee. The  
11 committee will conduct a hearing to determine if any extenuating circumstances exist or to determine if  
12 the student has met attendance requirements that will allow him/her to pass the course or be promoted.  
13 Upon notification of the attendance committee decision, the principal shall send written notification to  
14 the Director of Schools/designee and the parent(s)/guardian(s) of the student of any action taken  
15 regarding the excessive unexcused absences. The notification shall advise parents/guardian(s) of their  
16 right to appeal such action within two (2) school days to the Director of Schools/designee.

17 The appeal shall be heard no later than ten (10) school days after the request for appeal is received.

18 Within five (5) school days of the Director of Schools/designee rendering a decision, the student's  
19 parent(s)/guardian(s) may request a hearing by the board, and the board shall review the record.  
20 Following the review, the board may affirm or overturn the decision of the Director of Schools/designee.  
21 The action of the board shall be final.

22 The Director of Schools/designee shall ensure that this policy is posted in each school building and  
23 disseminated to all students, parents, teachers, and administrative staff.

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### Legal References

1. TCA 49-6-3006
2. TCA 49-6-3017(c)
3. 20 USCA § 1232g
4. TRR/MS 0520-01-02-.17(5); State Board of Education Policy 4.100
5. TCA 49-6-2904(b)(5)
6. TCA 49-6-3019
7. TCA 49-6-3007
8. TCA 49-6-3021
9. TCA 49-6-3007; TCA 49-6-3009
10. State Board of Education Policy 4.100
11. TCA 49-2-203(b)(7)
12. TRR/MS 0520-01-02-.17(7)

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### Cross References

- School Calendar 1.800
- Extracurricular Activities 4.300
- Interscholastic Athletics 4.301
- Field Trips/Excursions/Competitions 4.302
- Reporting Student Progress 4.601
- Promotion and Retention 4.603
- Recognition of Religious Beliefs, Customs, & Holidays 4.803
- Voluntary Pre-K Attendance 6.2011
- Homeless Students 6.503
- Students in Foster Care 6.505
- Students from Military Families 6.506
- Student Records 6.600

# Rutherford County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Interrogations and Searches</b>	Descriptor Code: <b>6.303</b>	Issued Date: <b>07/20/11</b>
		Rescinds: <b>5-11</b>	Issued: <b>01/15/09</b>

## 1 INTERROGATIONS BY SCHOOL PERSONNEL

2 ~~School personnel have a duty to report any reasonable suspicion that a student is carrying, or has~~  
3 ~~carried, a weapon or is violating, or has violated, a provision of the Tennessee Drug Control Act to the~~  
4 ~~principal, the principal's designee or, if the principal and the principal's designee are unavailable and~~  
5 ~~the offense was committed on school property, to the appropriate authorities.<sup>†</sup>~~

6 ~~Students may be questioned by teachers or principals about any matter pertaining to the operation of a~~  
7 ~~school and/or the enforcement of its rules. Questioning must be conducted discreetly and under~~  
8 ~~circumstances which will avoid unnecessary embarrassment to the student being questioned. Any~~  
9 ~~student answering falsely, evasively or refusing to answer a proper question may be subject to~~  
10 ~~disciplinary action, including suspension.~~

11 ~~If a student is suspected or accused of misconduct or infraction of the student code of conduct, the~~  
12 ~~principal may interrogate the student, without the presence of parent(s)/guardian(s) or legal custodians.~~  
13 ~~and without giving the student constitutional warnings.~~

## 14 INTERROGATIONS BY POLICE AT ADMINISTRATOR'S REQUEST

15 If the principal has requested assistance by **law enforcement** ~~the police department~~ to investigate a  
16 crime involving his/her school, the police shall have permission to interrogate a student suspect in  
17 school during school hours. The principal shall first attempt to notify the parent(s)/guardian(s) or legal  
18 custodians of the student of the intended interrogation unless circumstances require otherwise. The  
19 interrogation may proceed without attendance of the parent(s)/guardian(s) or legal custodians;  
20 **however,** the principal or his/her designee shall be present during the interrogation.<sup>1</sup> ~~unless instructed~~  
21 ~~to leave the interrogation by local law enforcement officials.~~

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

## 23 POLICE-INITIATED INTERROGATIONS

24 If the police deem circumstances of sufficient urgency to interrogate students at school for unrelated  
25 crimes committed outside of school hours, the police department shall first contact the principal  
26 regarding the planned interrogation, inform him/her of the probable cause to investigate ~~within the~~  
27 ~~school~~. The principal shall make reasonable effort to notify the parent(s)/guardian(s) or legal  
28 custodians of the interrogation unless circumstances require otherwise. The interrogation may proceed  
29 without attendance of the parent(s)/guardian(s) or legal custodians. The principal or his/her designee

1 shall be present during the interrogation, ~~unless instructed to leave the interrogation by local law~~  
2 ~~enforcement officials.~~

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

#### 4 *General*

5  
6  
7 Staff have the duty to report to the principal any reasonable suspicion that a student is in possession of  
8 or is carrying a dangerous weapon on school grounds or within any school building or is using or in  
9 possession of drugs.

10  
11 The principal has the duty to report any violations to the appropriate law enforcement officer.

12 Any dangerous weapon or drug discovered by the principal or other staff member in the course of a  
13 search shall be turned over to the appropriate law enforcement officer for proper disposal.

#### 14 *Searches of Students*

15  
16  
17 A student may be subject to a physical search due to the results of a locker search or because of  
18 information received by staff if such action is reasonable by the principal.

#### 19 *Searches of Vehicles, Lockers, and Enclosures*

20  
21  
22 Depending on the circumstances, a principal may order that vehicles parked on school property by  
23 students, lockers, or other enclosures used for storage by students and other areas accessible to students  
24 be searched in the principal/designee's presence.

25  
26 Lockers shall be assigned to each individual student at the beginning of the year. Students are not  
27 permitted to change locker assignments unless permission is given by the principal. Students shall be  
28 notified at the beginning of the school year that lockers are subject to being searched.

29  
30 Individual circumstances requiring a search may include incidents on school property, including school  
31 buses, involving, but not limited to, the use of dangerous weapons, drugs or drug paraphernalia by  
32 students, information received from law enforcement indicating a pattern of drug dealing or drug use  
33 by students of that school, any assault or attempted assault on school property with dangerous  
34 weapons, or any other actions or incidents known by the principal that give rise to reasonable suspicion  
35 that dangerous weapons, drugs, or drug paraphernalia are on school property.

36  
37 The principal shall ensure that notice is posted on school campus that vehicles parked on school  
38 property, lockers, or other enclosures used for storage by students are subject to being searched.

~~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.~~

## **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**

1 In view of the escalating presence of weapons in the schools, the Board of Education authorizes the use  
2 of hand held or walk through metal detectors to check a student's person or personal effects as  
3 follows:

4 School officials or law enforcement officers may conduct metal detector checks of groups of  
5 individuals if the checks are done in a minimally intrusive, nondiscriminatory manner (e.g., on all  
6 students in a randomly selected class; or every third individual entering an athletic event). Metal  
7 detector checks of groups of individuals may not be used to single out a individual or category of  
8 individuals.

9 If a school official or a law enforcement officer has reasonable suspicion to believe that a student is in  
10 possession of an illegal or unauthorized metal containing object or weapon, s/he may conduct a metal  
11 detector check of the student's person and personal effects.

12 A student's failure to permit a metal detector check as provided in this policy will be considered  
13 grounds for disciplinary action including possible suspension.

14 The director of schools shall develop procedures for use of metal detectors.

15  
16 Metal detectors may be used in searches, including hand-held models that are passed over or around a  
17 student's body, and students, containers, and packages may be required to pass through a stationary  
18 detector.

19  
20 The principal shall ensure that all metal detectors are maintained and calibrated in accordance with the  
21 manufacturer's directions and are stored appropriately.

22  
23 Metal detectors shall be used at times as determined by the principal. [Insert name of employee] will  
24 be present anytime the equipment is in use and will ensure that the equipment is being used  
25 appropriately.

26  
27 Before scanning an individual, he/she will be asked to remove all metal objects. If a metal detector  
28 activates on an item, the individual will be asked again to remove the item for inspection. If the  
29 individual refuses to remove the item and police are not present, the police and the school resource  
30 officer will be called, and the individual will be escorted from the building.

### 31 **SEARCHES BY POLICE**

32 If public health or safety is involved, upon request of the principal who shall be present, police officers  
33 may make a general search of students' lockers and desks, or students' or nonstudents' automobiles for  
34 drugs, weapons or items of an illegal or prohibited nature.

35 If the principal has received reliable information which he/she believes to be true that evidence of a  
36 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.~~

~~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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Legal References:

1. TCA 49-6-4203(b)

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Cross References:

- Procedural Due Process 6.302  
Child Abuse and Neglect 6.409

# Rutherford County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Physical Examinations and Immunizations</b>	Descriptor Code: <b>6.402</b>	Issued Date: <b>01/30/20</b>
		Rescinds: <b>6.402</b>	Issued: <b>07/28/10</b>

## PHYSICAL EXAMINATIONS<sup>1</sup>

The principal shall ensure that there is a complete physical examination of each student prior to:

1. Entering school for the first time.<sup>2</sup> This applies to kindergarten, first grade and other students for whom there is no health record. However, the enrollment of any student deemed to be homeless may not be denied or delayed because of the student's lack of a medical examination or immunization records.
2. Participation as a member of any athletic team or in any other strenuous physical activity program.<sup>3</sup> A physical shall be required prior to any level of participation on athletic teams including, but not limited to, on- or off-season conditioning, practices, and/or games.

Cost of the examination shall be borne by the parent or guardian of the student and the exam must have been completed within one year prior to the enrollment or participation. These records shall be on file in the principal's office.

~~In general, the school district will not conduct physical examinations of a student without parental consent to do so or by court order, unless the health or safety of the student or others is in question.~~  
Screening tests as required by the Tennessee Department of Education and the Department of Health will be conducted. Parent(s)/guardian(s) will receive written notice of any screening result that indicates a condition that might interfere with the student's progress. The school district will not conduct physical examinations of a student without parental consent or by court order, unless the health or safety of the student or others is in question.<sup>4</sup>

## IMMUNIZATIONS

No students entering school, including those entering kindergarten or first grade, those from out-of-state and those from nonpublic schools, will be permitted to enroll (or attend) without proof of immunization, as determined by the Commissioner of Public Health unless circumstances outlined in state or federal law prevent a student from producing such records.<sup>1,5</sup> It is the responsibility of the parents or guardians to have their children immunized and to provide such proof to the principal of the school which the student is to attend.<sup>5</sup>

Exceptions, ~~in the absence of an epidemic or immediate threat thereof,~~ will be granted to any child whose parent or guardian shall file with school authorities a signed, written statement that such measures conflict with one of the following:



- 1 1. His/her religious tenets and practices if in the absence of an epidemic or immediate threat of an  
2 epidemic<sup>6</sup>; or  
3
- 4 2. Due to medical reasons if such child has a written statement from his/her doctor excusing him  
5 from such immunization.<sup>7</sup>  
6

7 Furthermore, the enrollment of any student deemed homeless may not be denied or delayed because of  
8 the student's lack of a medical examination or immunization records.

9 Proof of exceptions will be in writing and filed in the same manner as other immunization records.

10 A list of transfer students shall be kept at each school throughout the school year in order that their  
11 records can be monitored by the Department of Health.

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#### Legal References

1. 20 USCA § 1232h(c)
2. TRR/MS 0520-1-03-.08(2)(a)
3. TRR/MS 0520-01-03-.08(2)(b)
4. Tennessee School Health Screening Guidelines,  
[https://www.tn.gov/content/dam/tn/education/csh/csh\\_school\\_health\\_screening\\_guidelines.pdf](https://www.tn.gov/content/dam/tn/education/csh/csh_school_health_screening_guidelines.pdf)
5. TCA 49-6-5001(a),(c)
6. TCA 49-6-5001(b)(2)
7. TCA 49-6-5001(c)(2)

# Rutherford County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Student Wellness</b>	Descriptor Code: <b>6.411</b>	Issued Date: <b>08/16/17</b>
		Rescinds: <b>6.411</b>	Issued: <b>06/09/16</b>

1 The Board recognizes the value of proper nutrition, physical activity, and other health conscious  
2 practices and the impact that such practices have on student academic achievement, health, and well-  
3 being. In order to provide an environment conducive to overall student wellness, this policy shall be  
4 followed by all schools in the District.<sup>1</sup>

## 5 **COMMITMENT TO COORDINATED SCHOOL HEALTH**

6 All schools shall implement the CDC's Coordinated School Health approach to managing new and  
7 existing wellness related programs and services in schools and the surrounding community based on  
8 State law and State Board of Education CSH standards and guidelines. The district's Coordinated  
9 School Health Coordinator shall be responsible for overseeing compliance with State Board of  
10 Education CSH standards and guidelines in the school district.

## 11 **SCHOOL HEALTH ADVISORY COUNCIL<sup>2,3</sup>**

12 A district school health advisory council shall be established to serve as a resource to school sites for  
13 implementing policies and programs and develop an active working relationship with the county health  
14 council. The council shall consist of individuals representing the school and community, including  
15 parents, students, teachers, school administrators, health professionals, school food service  
16 representatives, and members of the public. The primary responsibilities of the council include but are  
17 not limited to:

- 18 1. Developing, implementing, monitoring, reviewing and as necessary, making recommendations  
19 as to physical activity and nutrition policies;
- 20 2. Ensuring all schools within the district create and implement an action plan related to all  
21 School Health Index modules;
- 22 3. Ensuring that the results of the action plan are annually reported to the council; and
- 23 4. Ensuring that school level results include measures of progress on each indicator of the School  
24 Health Index.

25 The State Board of Education's Coordinated School Health and Physical Activity Policies shall be used  
26 as guidance by the Council to make recommendations. The Board will consider recommendations of  
27 the Council in making policy changes or revisions.

28 Additionally, each school will have a Healthy School Team consisting of teachers, students, parents  
29 and administrators.<sup>2</sup> The Team will be required to hold Healthy School Team meetings four (4) times  
30 during the school year to assess needs and oversee planning and implementation of school health  
31 efforts. The director of schools/designee will ensure compliance with the school Wellness Policy, to

1 include an assessment of the implementation of the Wellness Policy and the progress made in attaining  
2 the policy goals. The assessment will be made open to the public.

### 3 **EVALUATION OF EFFECTIVENESS OF WELLNESS PROGRAM**

4 The Board shall monitor the effectiveness of the wellness program within a wide-range of student  
5 constituency groups. Factors to be considered shall include but are not limited to:

- 6 1. Participation rates in school meal programs;
- 7 2. Nutrition satisfactory surveys;
- 8 3. Frequency and type of health problems which include medical issues, mental/emotional and  
9 behavioral health;
- 10 4. Teacher surveys of student's classroom behavior, attention span, and memory; and
- 11 5. Test scores.

### 12 **COMMITMENT TO NUTRITION**

13 All schools within the District shall participate in the USDA child nutrition programs, including the  
14 National School Lunch Program, the School Breakfast Program, the Summer Food Service Program,  
15 and the After School Snack Program.<sup>4,5,6</sup> The coordinated school health coordinator shall be  
16 responsible for overseeing the school district's compliance with the State Board of Education Rules  
17 and Regulations for sale of food items in the school district and that this Wellness Policy is being  
18 fulfilled by all schools in the district.<sup>5,6</sup>

19 Meals shall be accessible to all students in a non-stigmatizing manner. Students will be given adequate  
20 time to enjoy healthy meals and relax in a pleasant environment. Good nutritional habits shall be  
21 encouraged. All food including vending machines, fundraising items, and concessions must meet  
22 guidelines set forth by the Healthy, Hunger-free Kids Act, 2010, Smart Snacks in Schools.<sup>4,5,6</sup> The  
23 school principal/designee shall be responsible for overseeing the school district's compliance with the  
24 State Board of Education Rules and Regulations for sale of food items in the school district.

### 25 **DISTRICT GOALS**

26 The District will promote healthy nutrition through various activities, including nutrition related  
27 newsletters, informational links on the district website, healthy eating posters and bulletin boards in  
28 dining areas, and informational booths at various community functions. Nutrition Education will be  
29 offered as part of a standards based program designed to provide students with the knowledge and  
30 skills needed to promote and protect their health as outlined in the State Board of Education  
31 Health Education and Lifetime Wellness Standards. Nutrition Education will discourage teachers  
32 from using high fat, sugar, and sodium foods as rewards and encourage students to start each day with  
33 a healthy breakfast.

### 34 **COMMITMENT TO PHYSICAL ACTIVITY AND PHYSICAL EDUCATION**

35 The Board recognizes that physical activity is extremely important to the overall health of a child.  
36 Schools shall support and promote physical activity.

1 Physical activity may be integrated into any areas of the school program. Physical Education classes  
2 shall be offered with moderate to vigorous physical activity being an integral part of the class. Students  
3 shall be encouraged by staff whenever possible to be physically active. All physical education classes  
4 shall comply with the State Board of Education's Physical Education Standards. In addition to the  
5 district's physical education program, non-structured physical activity periods shall be offered as  
6 required by law.

7 Schools shall continue to offer after school sports and activities. Physical activity shall not be  
8 employed as a form of discipline or punishment.

## 9 **COMMITMENT TO CURRICULUM**

10 All applicable courses of study should be based on State-approved curriculum standards.

## 11 **SCHOOL HEALTH INDEX<sup>3</sup>**

12 All schools within the district shall annually administer a baseline assessment on each of the ~~three~~  
13 recommended School Health Index modules. Results shall be submitted to the School Health Advisory  
14 Council and reported to the State Department of Education.

## 15 **RECORD KEEPING COMPLIANCE**

16 The District's Coordinated School Health Coordinator shall ensure records demonstrating compliance  
17 with community involvement requirements are maintained. The Coordinated School Health  
18 Coordinator shall additionally document that the school wellness policy and triennial assessments are  
19 made available to the public.

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### Legal References

1. TCA 49-1-1002
2. State Board of Education Policy 4.204
3. State Board of Education Policy 4.206
4. 42 U.S.C. 1758b (Section 204 of the Healthy, Hunger-Free Kids Act of 2010 (Public Law 111-296))
5. TRR/MS 0520-1-6, Child Nutrition Programs
6. 7 C.F.R. 210 and 220
7. Public Acts of 2016, Chapter No. 669

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### Cross References

# Rutherford County Board of Education

Monitoring: <b>Review: Annually, in May</b>	Descriptor Term: <b>Special Education Students</b>	Descriptor Code: <b>6.500</b>	Issued Date: <b>07/28/10</b>
		Rescinds:	Issued:

1 ~~All disabled~~ **Special education** students between the ages of three and twenty-one (inclusive) shall  
2 receive the benefit of a free appropriate public education. ~~This provides the assurance that~~ These students  
3 will be educated with ~~non-disabled~~ **general** student **population** to the maximum extent appropriate and  
4 should be placed in separate or special classes only when the severity of the disabled is such that  
5 education in regular classes cannot be achieved satisfactorily.<sup>1</sup>

6 Eligibility standards and options of service for special education services will be based upon the criteria  
7 ~~for disabling conditions~~ specified in Rules, Regulations, and Minimum Standards, Tennessee State  
8 Board of Education.<sup>2</sup>

9 Students receiving special education services shall not be restrained, except as permitted by law.<sup>3</sup> **The**  
10 **Director of Schools shall develop administrative procedures to govern the following:**

11 **1. Personnel authorized to use isolation and restraint;**

12 **2. Training requirements for personnel working with special education students; and**

13 **3. Incident reporting procedures.<sup>4</sup>**  
14  
15

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## Legal References:

1. TCA 49-10-102; TCA 49-10-103
2. TRR/MS 0520-1-9-.06 &.07
3. TCA 49-10-1301, *et seq.*, TRR/MS 0520-1-9-.23

# Rutherford County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Homeless Students</b>	Descriptor Code: <b>6.503</b>	Issued Date:
		Rescinds:	Issued:

1 A homeless student shall have equal access to the same free and appropriate public education as  
2 provided to other children and youths.<sup>1</sup>

3 Homeless students are individuals who lack a fixed, regular, and adequate nighttime residence.<sup>2</sup>  
4 Homeless students include:<sup>2</sup>

- 5 1. Students sharing the housing of other persons due to loss of housing, economic hardship, or  
6 similar reason; students living in motels, hotels, trailer parks, or camping grounds due to the  
7 lack of alternative adequate accommodations; students living in emergency or transitional  
8 shelters; or students abandoned in hospitals;  
9
- 10 2. Students who have a primary nighttime residence that is a public or private place not designed  
11 for or ordinarily used as a regular sleeping accommodations for human beings;  
12
- 13 3. Students living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or  
14 trains stations, or similar settings; and  
15
- 16 4. Migratory students who are living in circumstances described above.

## 17 ENROLLMENT

18 Homeless students shall be immediately enrolled, even if the student is unable to produce records  
19 normally required for enrollment (i.e. academic records, immunization records, health records, proof of  
20 residency) or missed the district's application or enrollment deadlines.<sup>3</sup> Parents/guardians are required  
21 to submit contact information to the district's homeless coordinator.<sup>3</sup>

## 22 PLACEMENT

23 For the purposes of this policy, school of origin shall mean the school that the student attended when  
24 permanently housed or the school in which the student was last enrolled, including a preschool/pre-k  
25 program.<sup>4</sup> School of origin shall also include the designated receiving school at the next grade level  
26 when the student completes the final grade level served by the school of origin.<sup>4</sup>

27 Placement shall be determined based on the student's best interest.<sup>5</sup> At all times, a strong presumption  
28 that keeping the student in the school of origin is in the student's best interest shall be maintained,  
29 unless doing so would be contrary to a request made by the student's parent/guardian or the student in  
30 the case of an unaccompanied youth.<sup>6</sup> When determining placement, student-centered factors,  
31 including, but not limited to, impact of mobility on achievement, education, health, and safety, shall be

1 considered.<sup>6</sup> The choice regarding placement shall be made regardless of whether the student lives with  
2 their homeless parents/guardians or has been temporarily placed elsewhere.<sup>7</sup>

3 If it is not in the student's best interest to attend the school of origin or the school requested by the  
4 parent/guardian or unaccompanied youth, the Director of Schools/designee shall provide a written  
5 explanation of the reasons for the determination, in a manner and form that is understandable to the  
6 parent/guardian or unaccompanied youth.<sup>6</sup> The written explanation shall include a statement regarding  
7 the right to appeal the placement decision.<sup>6</sup> If the placement decision is appealed, the district shall  
8 refer the parent/guardian or unaccompanied student to the homeless coordinator who shall carry out the  
9 dispute resolution process as expeditiously as possible and in accordance with the law.<sup>8</sup> Upon notice of  
10 an appeal, the Director of Schools shall immediately enroll the student in the school in which  
11 enrollment was sought pending a final resolution of the dispute, including all available appeals.<sup>8</sup>

## 12 **RECORDS**

13 Records ordinarily kept by the school shall be maintained for all homeless students. Information  
14 regarding a homeless student's living situation shall be treated as a student education record and shall  
15 not be considered directory information.<sup>9</sup>

## 16 **SERVICES<sup>10</sup>**

17 The Director of Schools shall ensure that each homeless student is provided services comparable to  
18 those offered to other students within the district, including transportation, special education services,  
19 programs in career and technical education (CTE), programs for gifted and talented students, and  
20 school nutrition.

21 The Director of Schools shall designate a district homeless coordinator who shall ensure this policy is  
22 implemented throughout the district. The homeless coordinator shall ensure:

- 23 1. Homeless students are quickly identified and have access to education and support services, to  
24 include Head Start and district pre-k programs;
- 25  
26 2. Coordination with local social service agencies and other entities providing services to  
27 homeless students;
- 28  
29 3. Coordinate transportation, transfer of records, and other interdistrict activities with other school  
30 districts;
- 31  
32 4. Coordinate transportation to the school of origin or choice for homeless students;
- 33  
34 5. Refer homeless students and their families to health care services, dental services, mental  
35 health and substance abuse services, and housing services;
- 36  
37 6. Assist homeless students in obtaining immunizations, medical or immunization records, and  
38 any additional assistance that may be needed;

1 7. Public notice of the educational rights of homeless students is disseminated in places  
 2 frequented by parents/guardians of homeless students, including schools, shelters, public  
 3 libraries, and soup kitchens; and

4  
 5 8. Unaccompanied youth are enrolled and informed of their status as independent students.

6 The Director of Schools shall develop procedures to ensure that homeless students are recognized  
 7 administratively, and that the appropriate and available services are provided for these students. The  
 8 Director of Schools shall ensure professional development is provided to school personnel providing  
 9 services to homeless students.

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#### Legal References

1. 42 USCA §§ 11431 to 11435; McKinney-Vento Education Assistance Improvements Act of 2001, § 721; State Board of Education 2.103
2. McKinney-Vento Act, as amended by ESSA (Pub. L. 114-95), § 725
3. McKinney-Vento Act, as amended by ESSA (Pub. L. 114-95, § 722(g)(3)(C)(i), § 722(g)(3)(H)
4. McKinney-Vento Act, as amended by ESSA (Pub. L. 114-95, § 722(g)(3)(G)
5. McKinney-Vento Act, as amended by ESSA (Pub. L. 114-95, § 722(g)(3)(A)
6. McKinney-Vento Act, as amended by ESSA (Pub. L. 114-95, § 722(g)(3)(B)
7. McKinney-Vento Act, as amended by ESSA (Pub. L. 114-95, § 722(g)(3)(F)
8. McKinney-Vento Act, as amended by ESSA (Pub. L. 114-95, § 722(g)(3)(E)
9. McKinney-Vento Act, as amended by ESSA (Pub. L. 114-95, § 722(g)(3)(D)
10. McKinney-Vento Act, as amended by ESSA (Pub. L. 114-95, § 722(g)(4) - (6)

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#### Cross References

Student Transportation Management 3.400  
 Parent and Family Engagement 4.502  
 Promotion and Retention 4.603  
 Attendance 6.200  
 School Admissions 6.203  
 Student Assignments 6.205  
 Transfers Within the System 6.206  
 Migrant Students 6.504



# Rutherford County Board of Education

Monitoring: <b>Review: Annually, in November</b>	Descriptor Term: <b>Alternative Credit Options</b>	Descriptor Code: <b>4.209</b>	Issued Date:
		Rescinds:	Issued:

## 1 ONLINE COURSES

2 High school students may earn credit to be applied toward graduation requirements by completing online  
3 courses offered through agencies or institutions approved by the Board. Credit from these online courses  
4 may be earned only in the following circumstances:

- 5 1. The course is not offered at the high school, or although the course is offered at the high school,  
6 the student has an unavoidable scheduling conflict;
- 7 2. The course will serve as a supplement to homebound instruction;
- 8 3. The student has been expelled from a regular school setting, but educational services are to be  
9 continued; or
- 10 4. The principal, with agreement from the student's teachers and parent(s)/guardian(s), determines  
11 the student requires a differentiated or accelerated learning environment.

12 The express approval of the principal/designee shall be obtained before a student enrolls in an online  
13 course. The school shall receive an official record of the final grade before credit toward graduation will  
14 be recognized.

15 Through a supervision plan, the school shall be responsible for providing appropriate supervision and  
16 monitoring of students taking online courses.

## 17 COURSE ACCESS PROGRAM

18 Students in grades seven through twelve (7-12) may participate in the statewide course access  
19 program. To become eligible to participate, students shall:

- 20 1. Meet all prerequisite requirements for the course access course; and  
21
- 22 2. Be unable to enroll in a comparable course at the student's school because:
  - 23 a. A comparable course is not offered; or
  - 24 b. A legitimate situation exists that prevents the student from enrolling in a comparable  
25 course.<sup>1</sup>

26 The Director of Schools shall develop administrative procedures to ensure that students and  
27 parent(s)/guardian(s) are given written notice of their right to appeal any denial of a course access  
28 course enrollment in a timely manner.<sup>2</sup> All appeals shall be submitted in writing to the Board within  
29 fifteen (15) calendar days of a denial.

- 1 After a timely appeal is made, the Board will provide written notification to the student and
- 2 parent(s)/guardian(s) of the time, place, and date of the hearing. The hearing shall be held no later than
- 3 ten (10) days after the appeal is submitted. At the hearing, the Board shall determine whether there was
- 4 an error in denying the student the ability to participate in the course access program.<sup>3</sup>

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Legal References

1. TRR/MS 0520-01-14-.03(1)
2. TRR/M 0520-01-14-.03(7)
3. TRR/MS 0520-01-14-.03(6)

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Cross References

Homebound Instruction 4.206  
Grading System 4.600  
Graduation Requirements 4.605

# Rutherford County Board of Education

Monitoring: <b>Review: Annually, in December</b>	Descriptor Term: <b>Substitutions for PE Credit</b>	Descriptor Code: <b>4.6051</b>	Issued Date: <b>draft</b>
		Rescinds:	Issued:

1 Students may meet their required one-half (½) credit of Physical Education by substituting documented  
2 equivalent time of physical activity in the following activities:

- 3 1. Marching band;
- 4
- 5 2. JROTC;
- 6
- 7 3. Cheerleading;
- 8
- 9 4. Interscholastic athletics;
- 10
- 11 5. School sponsored intramural athletics;
- 12
- 13 6. Private or commercially sponsored physical activity programs conducted off-campus; or
- 14
- 15 7. Other areas approved by the board of education.

16 Documentation will be required that records the equivalent time of the substituting activity to a ½  
17 credit of physical education.

18 The Director of Schools/designee shall be responsible for creating any necessary administrative  
19 procedures to facilitate such substitutions.

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Cross References

Graduation Requirements 4.605

# Rutherford County Board of Education

Monitoring: <b>Review: Annually, in January</b>	Descriptor Term: <b>Leave for Religious Observance</b>	Descriptor Code: <b>5.3031</b>	Issued Date: <b>draft</b>
		Rescinds:	Issued:

## 1 *General*

2 To the extent that modifications in work schedules do not interfere with the efficient operation of the  
3 school system, an employee whose personal religious beliefs require that he or she abstain from work  
4 at certain times of the workday or workweek must be permitted to work alternative work hours so that  
5 the employee can meet the religious obligation. Any hours worked in lieu of the normal work schedule  
6 do not create any entitlement to overtime pay.

## 7 **PROCESS FOR REQUESTING A SCHEDULE ACCOMODATION**

8 An employee whose religious beliefs and/or practices conflict with their work schedule shall submit a  
9 written request for an accommodation. The immediate supervisor will evaluate the request considering  
10 whether a work conflict exists due to a sincerely held religious belief or practice and whether an  
11 accommodation is available that is reasonable and that would not create an undue hardship. Employee  
12 may be allowed to take unpaid leave or accrued vacation or personal leave.

13 The supervisor and employee will meet to discuss the request and decision on an accommodation. If  
14 the employee accepts the proposed religious accommodation, the immediate supervisor will implement  
15 the decision. If the employee rejects the proposed accommodation, he or she may appeal this decision  
16 to the Assistant Superintendent of Human Resources and Support Services. Any denial of such  
17 accommodation must be given to the employee in writing.

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### Legal References

1. Title VII, 42 U.S.C. Sec. 200e-1(a)

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### Cross References