

**Committee
Members**

Chairwoman,
Tammy Sharp

Vice Chairman,
Caleb Tidwell

Claire Maxwell

Shelia Bratton

Coy Young

Frances Rosales

Katie Darby

Dr. Kay Martin

Dr. Mark Gullion

Dr. Cary Holman

**Shannon
Creekmore**

**Kaitlyn
Benavides**

**Susan
Quesenberry**

**Robert Brooks,
Jr.**

**Dr. James
Sullivan**

Monika Ridley

Jeff Reed

SPECIAL CALLED POLICY COMMITTEE MEETING

AGENDA

5:00 p.m.

June 21, 2023

Tammy Sharp, Chairwoman

1. Call to Order

2. Pledge of Allegiance

3. Approval of Agenda

4. Policy Changes

a. Policy 1.102 – Board Members Legal Status*

Adds other types of high school equivalency credentials approved by the State Board of Education pursuant to change in state law.

b. Policy 1.106 – Code of Ethics*

Adds point of contact for the Tennessee Ethics Commission pursuant to change in state law.

c. Policy 1.400 – School Board Meetings*

Adds two additional qualifying reasons for board members to attend regular or special meetings electronically pursuant to change in state law.

d. Policy 1.402 – Notification of Meetings*

Adds that notice of all meetings with actionable items on the agenda, with some exceptions, shall include information on how community members can participate in the public comment portion of the board meeting. This change is pursuant to change in state law.

e. Policy 1.901 – Charter School Applications

Adds language requiring presentation of review committee's findings to the Board.

f. Policy 3.202 – Emergency Preparedness Plan*

Adds armed intruder drill, incident command drill, and emergency safety bus drill pursuant to change in state law.

g. Policy 3.205 – Security*

Adds language mandating that all exterior doors shall be locked at all times and access shall be limited to primary entrance. Also adds that after school activities that require an unlocked door shall have an employee stationed at the door to ensure access is limited to authorized persons only. This change is pursuant to change in state law.

h. Policy 4.204 - Summer School*

Adds language for third grade promotion/retention pursuant to change in state law.

i. Policy 4.300 – Extracurricular Activities*

Adds requirement of parents/guardians to opt-in before a minor child can join a school club or participate in activities of the club pursuant to change in state law.

- j. Policy 4.402 – Reconsideration of Textbooks and Instructional Materials**
For discussion.
- k. Policy 4.403 – Library Materials**
For discussion. Change in state law now allows board to create a process with several tiers of review.
- l. Policy 5.106 – Application and Employment***
Adds language that districts may not hire individuals who appear on lists of perpetrators of child abuse and abuse of vulnerable persons or similar lists from other states pursuant to a change in state law.
- m. Policy 5.110 – Compensation Guides and Contracts***
Updates employment experience for Career and Technical Education (Occupational Education) teachers.
- n. Policy 5.119 – Employment of Retirees***
Removes requirement that Director of Schools certifies in writing that no other qualified personnel are available to fill the position before hiring a retiree pursuant to a change in state law.
- o. Policy 5.302 – Sick Leave***
Adds option for employees to use sick bank days to care for minor children in addition to being used for the employee’s own illness pursuant to a change in state law. Additionally, remove language that states retired personnel cannot earn sick leave.
- p. Policy 5.305 – Family Medical Leave***
Adds six weeks of paid leave for certain employees after the birth, stillbirth, or adoption of a newly placed minor child pursuant to a change in state law.
- q. Policy 5.307 – Physical Assault Leave***
Clarifies that teachers will receive their full salary and benefits while on leave due to a physical assault pursuant to a change in state law.
- r. Policy 5.310 – Vacations and Holidays***
Adds Juneteenth to list of holidays pursuant to a change in state law. Additionally, adds to set a 10-hour workday for July 4th for holiday pay purposes for all 12 month employees on a 4-day work week during the summer months.
- s. Policy 5.600 – Staff Rights and Responsibilities***
Adds that teachers are required to report students who commit certain offenses (assault and battery or vandalism) on school property that endanger the life, health, or safety of others pursuant to a change in state law.
- t. Policy 6.200 – Attendance***
For discussion. Change in state law now allows board to allow credit for released time courses.

- u. **Policy 6.202 – Home Schools***
Removes requirement of proof of immunization for the student. Also, requires the acceptance of high school equivalency credentials approved by the State Board of Education for parents/guardians pursuant to a change in state law.
- v. **Policy 6.300 – Code of Conduct***
Adds threats of mass violence to the list of zero tolerance offenses punishable by a one (1) year expulsion pursuant to a change in state law.
- w. **Policy 6.303 – Interrogations and Searches**
For discussion.
- x. **Policy 6.309 – Zero Tolerance Offenses***
Adds threats of mass violence to the list of zero tolerance offenses punishable by a one (1) year expulsion pursuant to a change in state law.
- y. **Policy 6.319 – Alternative Education***
Adds additional statutory reason for Director of Schools to require a student to serve a suspension at home rather than on school property if it endangers the safety of the students or staff pursuant to a change in state law.
- z. **Policy 6.4001 – Student Surveys, Analyses, and Evaluations***
Adds requirements of parents/guardians to opt-in before a minor child participates in a non-instructional survey, analysis, or evaluation pursuant to change in state law.
- aa. **Policy 6.402 – Physical Examinations and Immunizations***
Adds language to give parents/guardians the ability to opt-out of health screenings conducted as part of the coordinated school health program pursuant to change in state law.
- bb. **Policy 6.405 – Medicines**
Adds language to allow students fifteen (15) years of age or older to keep prescription medication in their vehicle for the purpose of taking medication after school hours off school property.

*Indicated policies will be requested to passed on first reading in order to implement for the 2023-2024 school year.

5. Adjournment

Rutherford County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Board Members Legal Status	Descriptor Code: 1.102	Issued Date: 07/27/22
		Rescinds: 1.102	Issued: 01/15/09

1 The legal status of board members shall be as follows:

2 **NUMBER¹**

3 The Board is composed of seven (7) members.

4 **QUALIFICATIONS**

5 Members of the Board shall be residents of and elected on a non-partisan basis from districts of
6 substantially equal population, and shall be citizens of recognized integrity, intelligence, and ability to
7 administer the duties of the office.¹ To qualify as a candidate, an individual must show proof of:

- 8 1. Graduation from high school or receipt of a G.E.D. or HiSET of a high school equivalency
9 credential approved by the State Board of Education²; and
- 10 2. Being a qualified voter and resident in the county for one (1) year prior to the qualifying
11 deadline for running as a candidate.¹

12 No member of the county legislative body nor any other county governmental official shall be eligible
13 for election as a member of the county Board of Education.³

14 **VACANCIES**

15 Vacancies shall be declared to exist on account of death, resignation, removal from the district which
16 elected him, removal from the school system, or through due process proceedings.⁴

17 When a vacancy occurs, the unexpired term shall be filled at the next regular or special meeting of the
18 local legislative body.⁵ Such appointment shall continue until the next regular election.

19 **RESIGNATION**

20 A thirty (30) day notice is requested of any board member who wishes to resign the position. Such
21 resignation shall be presented in writing to the chairman of the Board.

22 **OATH OF OFFICE**

23 Before entering upon the duties of the office, every member of the county Board of Education shall
24 qualify by taking and subscribing and filing with the county court clerk, the following oath:

1 "I do solemnly swear (or affirm) that I will support the Constitution of the United States and of the State
2 of Tennessee, and the laws governing the operation of the Rutherford County School System, and that I
3 will faithfully, zealously, and impartially discharge the duties of a member of the Rutherford County
4 Board without fear or favor, and for the public welfare."

Legal References

1. TCA 49-2-201(a)(1)
2. TCA 49-2-202(a)(4); Public Acts of 2023, Chapter No. 114
3. TCA 49-2-202(a)(2)
4. TCA 8-47-101; TCA 49-1-611; TCA 49-2-202(e)(2); Tenn. Att'y Gen. Op. No. 21-14 (September 1, 2021)
5. TCA 49-2-202(e)(1)

Rutherford County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Code of Ethics	Descriptor Code: 1.106	Issued Date: 03/08/23
		Rescinds: 1-42	Issued: 01/15/09

CODE OF ETHICS

RUTHERFORD COUNTY BOARD OF EDUCATION

Section 1. Definitions.

- (1) "School district" means the Rutherford County Board of Education, which was duly created by a public or private act of the General Assembly; and which includes all boards, committees, commissions, authorities, corporations or other instrumentalities appointed or created by the school district or an official of the school district.
- (2) "Officials and employees" means and includes any official, whether elected or appointed, officer, employee or servant, or any member of any board, agency, commission, authority or corporation (whether compensated or not), or any officer, employee or servant thereof, of the school district.
- (3) "Personal interest" means, for the purpose of disclosure of personal interests in accordance with this Code of Ethics, a financial interest of the official or employee, or a financial interest of the official's or employee's spouse or child living in the same household, in the matter to be voted upon, regulated, supervised, or otherwise acted upon in an official capacity.

Section 2. Disclosure of personal interest in voting matters. An official or employee with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and to be included in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the official's or employee's vote on the measure. In addition, the official or employee may, to the extent allowed by law, recuse himself or herself from voting on the measure.

Section 3. Disclosure of personal interest in non-voting matters. An official or employee who must exercise discretion relative to any matter other than casting a vote and who has a personal interest in the matter that affects or that would lead a reasonable person to infer that it affects the exercise of the discretion shall disclose, before the exercise of the discretion when possible, the interest on the attached disclosure form and file the disclosure form with the school district's central office. In addition, the official or employee may, to the extent allowed by law, recuse himself or herself from the exercise of discretion in the matter.

Section 4. Acceptance of gifts and other things of value. An official or employee, or an official's or employee's spouse or child living in the same household, may not accept, directly or indirectly, any gift, money, gratuity, or other consideration or favor of any kind from anyone other than the school district

1 that a reasonable person would understand was intended to influence the vote, official action or judgment
2 of the official or employee in executing decision-making authority affecting the school district.

3 It shall not be considered a violation of this policy for an official or employee to receive entertainment,
4 food, refreshments, meals, health screenings, amenities, foodstuffs, or beverages that are provided in
5 connection with a conference sponsored by an established or recognized statewide association of school
6 board officials or by an umbrella or affiliate organization of such statewide association of school board
7 officials.

8 **Section 5. Real Estate Matters.** Without limiting any other provision of this Policy or any other Policy,
9 for contracts with the Board for the purchase, sale, acquisition, or disposition of land or interests in land,
10 no Board member may vote, take any action as a Board Member, or participate in discussion on any
11 matter related thereto in which the Board Member is directly interested or has a personal interest without
12 first publicly disclosing the same. For the purpose of defining “directly interested” on matters involving
13 the purchase, sale, acquisition, or disposition of land or interests in land, “directly interested” means any
14 contract with the board member or with any business in which the board member is a sole proprietor,
15 partner, member, shareholder, or the holder or recipient of any financial interest.

16
17 **Section 6. Ethics Complaints.** The school district may create a School District Ethics Committee (the
18 “Ethics Committee”) consisting of three members who will be appointed to one-year terms by the
19 Chairman of the Board of Education with confirmation by the board of education. At least two members
20 of the committee shall be members of the board of education. The Ethics Committee shall convene as
21 soon as practicable after its appointment and elect a chair and a secretary. The records of the Ethics
22 Committee shall be maintained by the secretary and shall be filed in the office of the director of schools,
23 where they shall be open to public inspection.

24 Questions and complaints regarding violations of this Code of Ethics or of any violation of state law
25 governing ethical conduct should be directed to the chair of the Ethics Committee. Complaints shall be
26 in writing and signed by the person making the complaint, and shall set forth in reasonable detail the
27 facts upon which the complaint is based.

28 The School District Ethics Committee may investigate any credible complaint against an official or
29 employee charging any violation of this Code of Ethics, or may undertake an investigation on its own
30 initiative when it acquires information indicating a possible violation, and make recommendations for
31 action to end or seek retribution for any activity that, in the Committee’s judgment, constitutes a violation
32 of this Code of Ethics. If a member of the Committee is the subject of a complaint, such member shall
33 recuse himself or herself from all proceedings involving such complaint.

34 The Committee may:

- 35 (1) refer the matter to the Board Attorney for a legal opinion and/or recommendations for action;
- 36 (2) in the case of an official, refer the matter to the school board body for possible public censure if
37 the board body finds such action warranted;

- 1 (3) in the case of an employee, refer the matter to the official responsible for supervision of the
2 employee for possible disciplinary action if the official finds discipline warranted;
3 (4) in a case involving possible violation of state statutes, refer the matter to the district attorney for
4 possible ouster or criminal prosecution;

5 The interpretation that a reasonable person in the circumstances would apply shall be used in interpreting
6 and enforcing this Code of Ethics. When a violation of this Code of Ethics also constitutes a violation
7 of a personnel policy or a civil service policy, the violation shall be dealt with as a violation of the
8 personnel or civil service provisions rather than as a violation of this Code of Ethics.

9 **POINT OF CONTACT²**

10 **The Board Chair shall serve as the point of contact for the Tennessee Ethics Commission. The Director**
11 **of Schools shall provide the contact information to the Commission and ensure that any changes are**
12 **submitted within thirty (30) calendar days.**
13

Legal Reference:

1. Tenn. Code Ann. § 2-10-122, et seq.
2. Public Acts of 2023, Chapter No. 37

Cross References:

Rutherford County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: School Board Meetings	Descriptor Code: 1.400	Issued Date: 12/15/22
		Rescinds: 1.400	Issued: 02/24/22

1 The Board will transact all business at official meetings which may be either regular or special. The
2 board agenda shall be posted five (5) days prior the board meeting. Board agendas are subject to change
3 at any time.

4 Every meeting of the board shall be open to the public, except for those meetings in which the law allows
5 closed sessions.¹ Open meetings will be physically accessible to all students, employees, and interested
6 citizens.² In order to ensure all elements of board meetings are open to the public, no board members or
7 Rutherford County Schools support staff in attendance and participating in a board meeting shall utilize
8 a cell phone during the meeting.

9 The Board may restrict the recording of Board meetings via camera, camcorder or other photographic
10 equipment when such recording creates a threat to public safety and welfare or impedes the conducting
11 of efficient and orderly public meetings.³ Visitors are prohibited from bringing posters or signs in excess
12 of 18x24 inches in size into the Board meeting due to the impact on visibility, which disrupts public
13 participation and creates safety concerns. If a visitor brings a poster larger than 8.5x11 inches but no
14 more than 18x24 inches, the visitor shall sit in the back row so as not to impede visibility. If a visitor
15 wishes to distribute materials, the visitor should bring copies and hand them to the Board's Executive
16 Secretary for distribution.

17 **SPECIAL MEETINGS**

18 The Board shall hold such special meetings as necessary to transact the business of the Board. Such
19 meetings shall be called by the chair whenever, in the chair's judgment, the interests of the schools
20 require it, or when requested to do so by a majority of the Board.⁴

21 Only business related to the call of the meeting, and details related to agenda items shall be discussed
22 or transacted by the Board at a special meeting.

23 **ELECTRONIC ATTENDANCE⁵**

24 Absent Board members may attend a regular or special meeting by electronic means if the member is
25 absent because of work, a family emergency, or the member's military service. If a board member is
26 absent due to military service, he/she may participate electronically as often as he/she is able to do so.
27 However, a board member may not participate electronically more than two (2) times per year for
28 absences due to work and/or family emergencies.

29 *General Requirements*

30 The following requirements apply to all electronic attendance, regardless of the reason for the
31 member's absence:

- 1 1. A quorum of the Board must be physically present at the meeting in order for any member to
2 attend electronically.
- 3 2. Any member wishing to participate electronically must do so using technology which allows
4 the Chair to visually identify the member.
- 5 3. The responsibility for the connection lies with the member wishing to participate electronically.
6 No more than three (3) attempts to connect shall be made, unless the Board chooses to make
7 additional attempts.

8 *Work Related Absence*

9 The following requirements apply to electronic attendance due to a work related absence:

- 10 1. The Board member must be absent from the county due to work.
- 11 2. The member wishing to participate must give the Chair and director at least five (5) days notice
12 prior to the meeting of the member's desire to participate electronically.

13 *Sickness or Period of Convalescence*

- 14 1. A board member may attend a meeting by electronic means if sick or in a period of
15 convalescence on the advice of a healthcare professional; however, he/she may only participate
16 electronically three (3) times per year for this reason.

17 *Inclement Weather or Natural Disaster*

- 18 1. A board member may attend a meeting by electronic means due to inclement weather or natural
19 disaster if the schools in the school district are closed; however, he/she may only participate
20 electronically three (3) times per year for this reason.

21 *Military Service*

- 22 1. A board member may attend a meeting by electronic means if out of the county due to military
23 service. The board member may participate electronically as often as he/she is able to do so.

24 *Family Emergency*

25 The following requirement applies to electronic attendance due to a family emergency:

- 26 1. The member must be absent due to the hospitalization of the member or the death or
27 hospitalization of the member's spouse, father, mother, son, daughter, brother, sister, son-in-
28 law, daughter-in-law, step-son, step-daughter, father-in-law, mother-in-law, brother-in-law, or
29 sister-in-law.

1. TCA 8-44-102; TCA 49-6-804(b)
2. 28 CFR § 36.201(a); 36.202
3. Tenn. Att'y Gen. Op. No. 95-126 (December 28, 1995)
4. TCA 49-2-202(c)(1)
5. TCA 49-2-203(c)

School Board Legal Status and Authority 1.100
Board Committees 1.300
Notification of Meetings 1.402
Appearances Before the Board 1.404
Section 504 and ADA Grievance Procedures 1.802

Rutherford County Board of Education

Monitoring: Review: Annually, in July	Descriptor Term: Notification of Meetings	Descriptor Code: 1.402	Issued Date: 11/15/16
		Rescinds: 1.402	Issued: 01/15/09

- 1 Adequate notice of meetings in the case of regular meetings shall consist of the meeting date and time
2 being posted on the district website at www.reschools.net. No other notice of regular meetings shall be
3 necessary beyond those stated and the holding of the particular regular meetings at the appointed times,
4 if the date and time of the next regular meeting was announced at the last held board meeting.
- 5 In the case of special board meetings, the notice shall be posted in the same location at least forty-eight
6 (48) hours prior to the meeting.
- 7 The only exception permitted is in case of emergency, defined for this policy as “a sudden, generally
8 unexpected occurrence or set of circumstances demanding immediate action.” In such exceptions,
9 notice shall be given to all appropriate parties as is practical.
- 10 **All notices of special board meetings shall state the time, place and purpose of the meeting.**
- 11 **Notice of all meetings with actionable items on the agenda, with the exception of teacher disciplinary**
12 **hearings, shall include information on how community members can participate in the public comment**
13 **portion of the board meeting.**³
14

Legal References

1. TCA 8-44-103
2. TCA 49-2-202(c)(1)
3. Public Acts of 2023, Chapter No. 300

Rutherford County Board of Education

Monitoring: Review: Annually, in August	Descriptor Term: Charter School Applications	Descriptor Code: 1.901	Issued Date: 12/15/22
		Rescinds: 1.704	Issued: 02/18/21

1 *General*

2 This policy shall apply to sponsors and potential sponsors of charter schools. It shall not apply to
3 charter schools converting from existing public schools. Proposals from existing charter school
4 operators or replicators and applicants proposing to contract with educational service providers shall be
5 in accordance with state law.¹

6 **APPLICATION PROCESS²**

7 A prospective charter school sponsor shall send notice to the Director of Schools of its intent sixty (60)
8 calendar days prior to February 1st of the year preceding the year in which the proposed charter school
9 plans to begin operation as a charter school.

10 A sponsor seeking board approval of an initial charter school application shall complete the forms
11 provided by the Department of Education. The application shall provide all the information required by
12 state law. The sponsor shall demonstrate that the proposed charter school meets the purpose prescribed
13 by state law for the formation of a charter school, and the proposed charter school will be able to
14 implement a viable program of quality education for its students.³

15 Applications shall be submitted to the Board and Department of Education on or before 11:59 p.m. on
16 February 1st of the year preceding the year in which the proposed charter school plans to begin
17 operation as a charter school. If the 1st of February falls on a Saturday, Sunday, or holiday on which
18 the school district offices are closed, applications will be accepted on the next business day on or
19 before 11:59 p.m. Late applications will not be accepted, without exception. The sponsor shall pay an
20 application fee of \$2,500.00.²

21
22 The Director of Schools or his/her designee shall determine whether an application is complete within
23 ten (10) business days of receiving the application and shall notify the sponsor within five (5) business
24 days of the determination if the application is determined to be incomplete.

25 **REVIEW TEAM¹**

26 If necessary, the Board shall appoint a review team to assist in reviewing and evaluating charter school
27 applications. The team shall be comprised of members of the administrative staff for the district,
28 community members, and a member of the Board with relevant educational, organizational, financial,
29 and legal experience. At the board meeting in December of each year, the Director of Schools shall
30 make a recommendation to the Board on which members of his/her administrative staff should be
31 appointed to the team. The Board shall name the members of the team at its meeting in January of each
32 year. The Board shall designate a Chair of the review team as the contact person for answering

1 questions about the application process and receiving applications. The Director of Schools shall
2 develop an orientation for the team to ensure consistent evaluation standards and the elimination of
3 real or perceived conflicts of interest.

4 The Board shall require the Director of Schools to develop a procedure for receiving, reviewing, and
5 ruling on applications for the establishment of charter schools by the review team. The procedure shall
6 include a timeline for the application and review process. A copy of the procedure, including the
7 review criteria, shall be available to any interested party upon request.

8 The review team shall:

- 9 1. Evaluate all charter school applications based on the review criteria adopted by the Board;
- 10 11 2. Recommend one of the following options to the Board for each application: approve, reject, or
12 reject with stipulations for reconsideration; and
- 13 14 3. Make recommendations for revocation, renewal, or non-renewal of charter school contracts.

15 APPROVAL/DENIAL OF APPLICATION⁴

16 **After presentation of the review committee's findings to the Board,** the Board shall rule by resolution
17 on the approval or denial of a charter school application within ninety (90) calendar days of receipt of
18 the completed application, or the application shall be deemed approved by state law. The Director of
19 Schools shall report the action taken by the Board to the Department of Education.

20 *Approval*

21 The sponsor of a charter school that is approved by the Board shall enter into a written agreement with
22 the Board which shall be binding on the charter school's governing body. The charter school agreement
23 shall be in writing and signed by the sponsor and the Board.

24 The Board will receive an annual authorizer fee of three percent (3%) of the annual per student state
25 and local allocations or thirty-five thousand dollars (\$35,000), whichever is less.⁵

26 Charter schools approved by the Board are expected to implement the application as submitted and
27 approved. Material variations in operations from the approved application require amendment pursuant
28 to state law and the charter school agreement.⁶

29 The Board shall not provide services to charter schools that are not requested during the application
30 process except for those services that are required under state or federal law. Services agreed to be
31 provided to the charter school by the Board shall be provided at board actual cost. The Board and
32 charter school shall execute a service contract for any additional services.

33 New charter school agreements are approved for a ten (10) year period.⁷ The Board may revoke or
34 deny renewal of a charter school agreement for any of the reasons enumerated in state law.⁸
35

1 *Denial*

2 Upon written receipt of the grounds for denial, the sponsor shall have thirty (30) calendar days within
3 which to submit an amended application to correct the deficiencies. The Board shall have sixty (60)
4 calendar days either to deny or to approve the amended application, or the application shall be deemed
5 approved by state law.⁴

6 Within ten (10) calendar days of final denial, an appeal may be filed with the Tennessee Charter
7 School Commission.⁹

Legal References

1. TCA 49-13-106; State Board of Education Policy 6.111
2. TCA 49-13-107; TCA 1-3-102; TCA 49-13-108; TRR/MS 0520-14-01
3. TCA 49-13-110
4. TCA 49-13-108; TRR/MSS 0520-14-01
5. TCA 49-13-128
6. TRR/MS 0520-14-01-06; TCA 49-13-110
7. TCA 49-13-110
8. TCA 49-13-122
9. TCA 49-13-108(b)(5)

Rutherford County Board of Education

Monitoring: Review: Annually, in October	Descriptor Term: Emergency Preparedness Plan	Descriptor Code: 3.202	Issued Date: 07/27/22
		Rescinds: 3.202	Issued: 09/18/19

1 *General*

2 The Director of Schools shall be responsible for developing, maintaining, and acquiring board
3 approval of the district Emergency Preparedness Plan¹ which shall include procedures for bomb
4 threats, civil disturbances, armed intruders, earthquakes, fires, tornadoes or other severe weather, and
5 medical emergencies.

6 The principal of each school shall develop and implement emergency preparedness drills which shall
7 be approved by the Director of Schools. When appropriate, such drills shall be held in conjunction with
8 emergency response agencies.

9 **FIRE AND SAFETY DRILLS**

10 The principal shall ensure that one (1) fire drill requiring full evacuation is given every thirty (30)
11 school days, with two (2) fire drills occurring during the first thirty (30) full days of the school year.
12 Additionally, he/she shall ensure that four (4) fire safety educational announcements are conducted
13 throughout the year.²

14 The principal shall ensure that three (3) additional safety drills are given during the school year.³ These
15 drills may cover inclement weather, earthquakes, armed intruders, or other emergency drills that do not
16 require full evacuation. A record of all fire or safety drills, including the time and date, shall be kept in
17 each school's office.³

18 The principal shall regularly check the quantity, locations, and conditions of fire extinguishers and
19 shall give all school personnel instructions on how to properly use fire extinguishers.

20 ~~ARMED INTRUDER DRILLS~~

21 ~~The Director of Schools or his/her designee shall ensure that the school safety team conducts at least~~
22 ~~one (1) armed intruder drill annually in coordination with local law enforcement.⁴~~

23 **ANNUAL DRILLS⁴**

24 **The principal shall ensure that the school safety team conducts each of the following type of drills**
25 **annually:**

26 **1. An armed intruder drill in coordination with local law enforcement;**

27
28 **2. An incident command drill; and**

29

1 **3. An emergency safety bus drill.**

2 **AED DRILLS⁵**

3 All schools shall conduct a CPR and AED drill to ensure awareness of the steps that shall be taken in
4 the event of a medical emergency. The principal shall ensure that the drill occurs.

5 The Director of Schools or his/her designee shall develop the necessary administrative procedures on
6 AED and CPR training, planning, notification, and maintenance to comply with state law.

7 **MEDICAL EMERGENCIES/PANDEMIC FLU⁶**

8 In the event of medical emergencies such as a pandemic flu outbreak, school officials shall cooperate
9 and consult with the local and state health departments and other local emergency or healthcare
10 providers in protecting students and the community from further infection. The Director of Schools
11 shall develop procedures for health emergencies in accordance with state law and regulations.

12 **REMOTE LEARNING DRILLS⁷**

13 At least once each school year, a remote learning drill shall be conducted. The drill shall accurately
14 reflect how students will transition to remote learning in the event of a disruption to school operations.
15 Students shall not be asked or required to transition to remote learning at any time during the drill.

Legal References

1. TRR/MS 0520-01-02-.30(2); TCA 49-6-804; TCA 49-6-805(8)
2. TCA 68-102-137(b)
3. TCA 68-102-137(f)
4. TCA 49-6-807; Public Acts of 2023, Chapter No. 367
5. TCA 49-2-122; TCA 49-6-1208
6. TCA 49-6-3004(a), (e); TCA 49-5-404
7. TCA 49-2-139

Cross References

Emergency Closings 1.8011
Safety 3.201
Community Use of School Facilities 3.206

Rutherford County Board of Education

Monitoring: Review: Annually, in October	Descriptor Term: Security	Descriptor Code: 3.205	Issued Date: 07/22/21
		Rescinds: 3.205	Issued: 01/15/09

1 *General*¹

2 The Director of Schools shall establish procedures to protect school property which shall include, but
3 not be limited to:

- 4 1. Closing and securing teacher work areas when left unattended or at the end of the day;
- 5 2. Denying students permission to use the classrooms, laboratories, gymnasiums, or other school
6 facilities or equipment without appropriate supervision;
- 7 3. Controlling the issuance of keys;
- 8 4. Developing programs that contribute to the proper care and use of school facilities and
9 equipment; and
- 10 5. Ensuring that equipment purchased with federal funds is managed as directed by federal law.²

11 **All exterior doors leading into a school building shall be locked at all times and access to school buildings**
12 **is limited to the school's primary entrance during the school day as well as when students are present**
13 **outside of regular school hours.**³

14 The principal shall call law enforcement officials in cases involving illegal entry, building damage, theft,
15 or vandalism. The principal shall notify the Director of Schools-as soon as practical, but no longer than
16 twenty-four (24) hours, after a case of vandalism, theft, building damage, and/or illegal entry. The
17 Director of Schools/designee is authorized to sign a criminal complaint and press charges. The Director
18 of Schools shall report all signing of such complaints to the Board.

19 **AFTER SCHOOL HOURS**

20 **If, outside of regular school hours, there is a need to unlock the doors during a school activity, a school**
21 **district employee shall be stationed by the door to ensure access is limited to authorized persons.**³

22 **LAW ENFORCEMENT SERVICES**¹

23 The Board may enter into collaborative partnerships with appropriate law enforcement agencies.
24 Partnerships may include, but not be limited to, education and recreational programs, delinquency
25 prevention, and mentoring initiatives.

26 The Board may enter into a memorandum of understanding (MOU) with the chief of a law enforcement
27 agency to provide school policing. The MOU shall address, at a minimum, the following issues:

- 1 1. Any school resource officer (SRO) assigned under the MOU shall be in compliance with all laws,
2 regulations, and rules of the Peace Officer Standards and Training Commission at the time of
3 assignment and remain compliant throughout his/her assignment.
- 4 2. As a condition of assignment, any SRO shall participate in forty (40) hours of basic training in
5 school policing within twelve (12) months of assignment. Every year thereafter, the SRO shall
6 participate in a minimum of sixteen (16) hours of training specific to school policing. All training
7 programs shall be approved by the Peace Officers Standards and Training Commission.⁴
- 8 3. Any SRO assigned under the MOU remains an employee of the law enforcement agency and is
9 subject to that agency's direction, control, supervision, and discipline. The Board may agree to
10 indemnify and reimburse the law enforcement agency for any part or all of the increased costs
11 incurred by the law enforcement agency as a result of the assignment of the SROs.
- 12 4. No SRO shall be assigned to a school, or continue in such an assignment, without the consent of
13 the Director of Schools.
- 14 5. In the event that more than one (1) SRO is assigned to a school district, the law enforcement
15 agency shall designate one (1) of the SROs as the senior SRO, or such other appropriate title.
16 The duties of the senior SRO shall include, but not be limited to, the following:
 - 17 a. Representing and carrying out the policies of the law enforcement agency assigning the
18 SROs;
 - 19 b. Supervising the SROs in the performance of their duties;
 - 20 c. Consulting with the Director of Schools regarding the best use of the available resources
21 for school policing; and
 - 22 d. Resolving disputes between the SROs and students or staff members.
- 23 6. The MOU may be effective for any length of time, including continuing until terminated by the
24 parties, and may contain any reasonable notice requirement for the termination of the MOU.
25 However, the MOU shall contain a provision allowing the Director of Schools to suspend the
26 active participation of any SROs in the event that the Director of Schools believes that such
27 suspension is best for the health, safety, or wellbeing of the students or staff members.

28 **CYBERSECURITY⁵**

29 The Director of Schools/designee shall develop an administrative procedure regarding the district's
30 cybersecurity plan to identify cybersecurity risks, implement mitigation planning, and protect
31 cyberinfrastructure against cyberattacks and other cybersecurity threats and incident

Legal References

1. TCA 49-6-805(3)
2. 2 CFR § 200.313
3. Public Acts of 2023, Chapter No. 367
4. TCA 49-6-4217
5. Public Acts of 2021, Chapter No. 335

Cross References

Visitors to the Schools 1.501
Inventories 2.702
Care of School Property 6.311

Rutherford County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Summer School	Descriptor Code: 4.204	Issued Date: 08/15/13
		Rescinds: 4.204	Issued: 01/15/09

1 Summer schools shall be organized and operated as a part of the public school program, shall be under
2 the control and management of the Board, and shall comply with rules and regulations of the State Board
3 of Education.¹ Only students who are residents of Rutherford County, Tennessee, as defined in Policy
4 1.703, will be permitted to attend summer school.

5 The summer school program, subject to annual approval by the director of schools/Board, shall provide
6 opportunities for remedial and enrichment instruction at the elementary level, review and limited regular
7 courses at the secondary level, and special programs funded by the state and/or federal grants. Summer
8 school faculty shall be employed by the director of schools.

9 No class shall be taken for the first time during a summer school session unless the student has
10 maintained a high school cumulative grade point average of at least 3.0 or its equivalent. Students with
11 a cumulative grade point average of less than 3.0 may take courses required for graduation for the first
12 time during a summer school session upon the recommendation of the principal of the school which the
13 student regularly attends.

14 All summer school classes shall meet on school property, and any exceptions must be approved by the
15 Board. The library, laboratories, and other facilities shall be made available to all students enrolled in
16 the summer school program.

17 The Board shall annually determine the tuition rates.² All fees charged shall be deposited in and
18 disbursed from the director's office.

19 Any student missing over three (3) days (for any reason) during a semester will be ineligible to earn
20 credit and will be dropped from the class roll. Any combination of three (3) tardies and/or early
21 dismissals shall constitute one (1) absence. Each tardy event or early dismissal event exceeding thirty
22 (30) minutes shall constitute an absence. The student appeal procedure shall be followed regarding
23 absences.

24 *General*

25 The following programs will be made available to students:^{1,2}

- 26 1. Traditional summer school;
- 27 2. Learning loss bridge camps;
- 28 3. After-school learning mini camps; and
- 29 4. Summer learning camps.

1 These programs shall be organized and operated in accordance with state law as well as guidelines
2 provided by the Tennessee Department of Education. Funding for all programming shall be provided
3 for in the annual budget and take into account any available grants. The Board may adopt tuition rates
4 for those students attending a traditional summer school program.³

5 SUMMER PROGRAMMING²

6 The Director of Schools shall present a recommended summer programming plan to the Board each
7 year, no later than **[insert timeframe]**, outlining the following:

- 8 1. Courses offered;
- 9 2. Transportation;
- 10 3. Class size ratios;
- 11 4. Budget, including staff compensation;
- 12 5. School nutrition needs;
- 13 6. Staffing;
- 14 7. Enrollment criteria; and
- 15 8. Any additional necessary information.

16 ATTENDANCE REQUIREMENTS²

17 Priority students, as defined by state law, **[insert either shall or shall not]** be required to attend
18 summer programs.

19 **[Insert additional local attendance requirements.]**

20 The Director of Schools shall be responsible for developing administrative procedures regarding the
21 attendance requirements of priority students in each program.

22 THIRD GRADE PROMOTION/RETENTION LAW & MAKE UP DAYS

23 Students who are required to attend summer programming in order to be promoted to fourth grade shall
24 attend with a ninety percent (90%) attendance rate. Students shall attend eighteen (18) days out of the
25 twenty (20) days required for summer school attendance. If more days are missed, students may make
26 up a total of **[insert number of days]** within **[insert district timeframe]**. Missed days will be
27 documented, and options for make up days will be provided by the **[insert option the district uses –**
28 **Director of Schools, summer programming committee, etc.]**.

29 Parents shall be provided information on the summer program attendance policy by **[insert method**
30 **district uses]**.

1 The Director of Schools/designee shall develop administrative procedures regarding the documentation
2 of student attendance including make up days and the administration of the post-test for students who
3 participate in summer programming.

Legal Reference:

1. TRR/MS 0520-1-3-.03(9); Public Acts of 2023, Chapter No. 144
2. TCA 49-6-1504
3. TCA 49-6-3003
4. State Board of Education Policy 3.300

Rutherford County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Extracurricular Activities	Descriptor Code: 4.300	Issued Date: 01/15/09
		Rescinds: 6-3	Issued:

The following guidelines shall be followed in administering the student activities program:

1. The Board shall initially approve each specific extracurricular activity so that proper support and supervision may be assured.
2. The principal, after obtaining the recommendation of the faculty and the director of schools, shall determine which clubs and organizations will be permitted.
3. Each student activity must be under the guidance and direction of a certified staff member.
4. All student activities must have the approval of the principal.
5. Student activities occurring before or after regularly scheduled school hours must be under the supervision of the principal or his/her designee.
6. Secret organizations shall not be operated in any school.
7. A student shall not be required to attend a school-sponsored student activity that is scheduled at a time which conflicts with his religious practices.
8. School-sponsored student activities during vacation periods shall be restricted to regularly scheduled athletic programs and major events which cannot be scheduled otherwise.
9. Student groups shall not participate in state or national activities which are not listed as approved activities by regional accrediting associations or state and national principals' associations without the approval of the director of schools.
10. A student on out-of-school suspension shall not be permitted to participate in school-sponsored activities.
11. Activities which restrict participation because of race, color, religion, sex, disabilities, or national origin are forbidden.¹
12. Activities sponsored by outside groups or agents will be approved only if they are co-sponsored by the school.

STUDENT CLUBS & ORGANIZATIONS³

All students under the age of eighteen (18) shall present a signed and dated statement from their parent/guardian before joining any club or organization or participating in activities of a club or

1
2
3

organization. The Director of Schools shall develop administrative procedures outlining this recordkeeping process.

Legal Reference:

1. TCA 49-6-1002(c)
2. 34 CFR § 106.41
3. Public Acts of 2023, Chapter No. 353

Cross References:

- Interscholastic Athletics 4.301
- Field Trips and Excursions 4.302
- Student Clubs and Organizations 6.702

Rutherford County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: <h2 style="text-align: center;">Reconsideration of Textbooks and Instructional Materials</h2>	Descriptor Code: 4.402	Issued Date: 07/27/22
		Rescinds: 4.402	Issued: 01/15/09

- 1 If a complaint is filed by a parent/guardian, employee, or student regrading textbooks or instructional
 2 materials, this process is to be followed:¹
- 3 1. Inform the complainant of the selection procedures and make no commitments.
 - 4
 - 5 2. Request the complainant to submit a Request for Reconsideration of Textbooks and
 6 Instructional Materials form.
 - 7
 - 8 3. Inform the principal (and other appropriate personnel).
 - 9
 - 10 4. Keep challenged materials available for use during the reconsideration process. The materials
 11 shall be removed immediately if they:²
 - 12 a. Were created to align exclusively with Common Core; or
 - 13
 - 14 b. Are marketed or otherwise identified as Common Core textbooks or instructional
 15 materials.
 - 16
 - 17
 - 18 5. Upon receipt of the completed form, the principal shall notify the Director of Schools.
 - 19
 - 20 6. The principal shall request review of the challenged materials by an ad hoc materials review
 21 committee within 25 business days. The review committee is appointed by the principal and
 22 includes representatives from classroom teachers, one or more parents, and may include one or
 23 more students. The principal will inform the Director of Schools of the review committee's
 24 progress.
 - 25
 - 26 7. The review committee shall take the following steps after receiving the challenged materials:
 27
 - 28 a. Read, view, or listen to the contested material in its entirety;
 - 29 b. Check general acceptance of the material by reading recognized and evaluative reviews;
 - 30 c. Determine the extent to which the material supports the curriculum;
 - 31 d. Complete the appropriate Checklist for Reconsideration of Textbooks and Instructional
 32 Materials, judging the material for its strength and value; and
 - 33 e. Present recommendation to principal for further action and to the Director of Schools
 34 for purposes of information.
 - 35

- 1 8. If the complainant desires further action after receiving the recommendation of the committee
2 and the decision of the principal, an appeal may be made to the Board.

Legal References

1. *Board of Education, Island Trees Union Free School District No. 26 v. Pico*, 457 U.S. 853, 102 S. Ct. 2799 (1982)
2. TCA 49-1-302(a)(8); TCA 49-1-314; TCA 49-6-2206; Public Acts of 2022, Chapter No. 1085

Cross References

Instructional Standards 4.101
Textbooks and Instructional Materials 4.400
School and System Websites 4.407
Controversial Materials 4.801

Rutherford County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Library Materials	Descriptor Code: 4.403	Issued Date: 05/25/23
		Rescinds: 4.403	Issued: 07/27/22

1 *General*

2 The Assistant Superintendent for Curriculum and Instruction or his/her designee shall be responsible for
3 library collection development. Library materials shall be reviewed to ensure the content aligns with
4 state law.¹ The library collection shall adhere to the following criteria:

- 5 1. Materials shall be suitable for and consistent with the educational mission of the school;
- 6
- 7 2. Materials shall be appropriate for the age and maturity levels of the students who may access
8 them. The determining factor will be based on an assessment of any mature themes or content
9 (i.e., violence, sexual content, vulgar language, substance abuse);
- 10
- 11 3. Materials shall contain literary, historical, and/or artistic value and merit; and
- 12
- 13 4. The collection as a whole shall offer a variety of viewpoints.

14 The Assistant Superintendent for Curriculum and Instruction shall be responsible for periodically
15 reviewing the district's library collection in line with these established standards.

16 **COMPLAINTS**

17 If a complaint is made by an employee, student, or parent/guardian of the school, this process is to be
18 followed:

- 19 1. Inform the complainant of the selection procedures and make no commitments.
- 20
- 21 2. Request the complainant to submit a Request for Reconsideration of Library Materials form.
- 22
- 23 3. Inform the principal (and other appropriate personnel).
- 24
- 25 4. Keep challenged materials available for use during the reconsideration process.
- 26
- 27 5. Upon receipt of the completed form, the principal shall notify the Director of Schools.
- 28
- 29 6. The principal shall request review of the challenged materials by an ad hoc materials review
30 committee within 25 business days. The review committee is appointed by the principal and
31 includes certified library media personnel, representatives from classroom teachers, one or
32 more parents, and may include one or more students. The principal will inform the Director of

1 Schools of the review committee's progress.

- 2
- 3 7. The review committee shall take the following steps after receiving the challenged materials:
- 4
- 5 a. Read, view, or listen to the contested material in its entirety;
- 6 b. Check general acceptance of the material by reading recognized and evaluative reviews;
- 7 c. Determine the extent to which the material is appropriate for the age and maturity levels
- 8 of the students who have access to the materials and whether the material is suitable for,
- 9 and consistent with, the educational mission of the school;
- 10 d. Complete the appropriate Checklist for Reconsideration of Library Materials, judging
- 11 the material for its strength and value; and
- 12 e. Present a recommendation to the Director of Schools and the Board.
- 13
- 14 8. The Board shall review the recommendation presented by the review committee and make the
- 15 determination whether the material is appropriate for the age and maturity levels of the students
- 16 who have access to the materials and whether the material is suitable for, and consistent with,
- 17 the educational mission of the school.
- 18
- 19 9. If it is determined that the material is not appropriate for the age and maturity levels of the
- 20 students who have access to them or is not suitable for, and consistent with, the educational
- 21 mission of the school, the Board shall require the school to remove the material from the library
- 22 collection.

Legal References

1. *Board of Education, Island Trees Union Free School District No. 26 v. Pico*, 457 U.S. 853, 102 S. Ct. 2799 (1982); TCA 49-6-3803

Cross References

Textbooks and Instructional Materials 4.400
School and System Websites 4.407
Controversial Materials 4.801

Rutherford County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Application and Employment	Descriptor Code: 5.106	Issued Date: 07/22/21
		Rescinds: 5.106	Issued: 10/31/18

1 APPLICATION

2 An individual desiring a position shall make application to the Director of Schools on forms developed
3 by his/her office. To ensure the safety and welfare of students and staff, the District shall require criminal
4 history background checks and fingerprinting of applicants for teaching positions and any other positions
5 that require proximity to children.¹ If applying for a teaching position, the Director of Schools shall also
6 check the applicant's license status in the State Board of Education's database to determine if there is a
7 hold on that applicant's license, and if so, the reasoning behind the hold.²

8 Knowingly falsifying information shall be sufficient grounds for termination of employment and shall
9 also constitute a Class A misdemeanor which must be reported to the District Attorney General for
10 prosecution.³

11 Any costs incurred to perform these background checks and fingerprinting shall be paid by the Board
12 the first time such applicant applies for a position with the Board. If a successful applicant does not
13 remain employed with the Board for a period of six (6) months, then the costs of the background check
14 will be withheld from his/her last regular paycheck. All applicants shall be advised that all hiring
15 decisions are contingent upon satisfactory background check results.

16 *Professional Employees*

17 The application shall include a transcript of credits earned at the colleges or universities attended along
18 with references from persons such as previous employers, college professors, and supervisors of student
19 teachers. Other information shall include whether such applicant has been dismissed for cause from a
20 school system.⁵ If previously employed by a local board of education, the applicant shall provide
21 evidence of acceptable resignation.

22 No person shall be employed:

- 23 1. Who does not hold a valid license to teach or a temporary permit to teach from the State Board
24 of Education;⁶
- 25 2. Who has been identified by the Department of Children's Services, or on a similar registry in
26 another jurisdiction, as a perpetrator of child abuse, severe child abuse, child sexual abuse, or
27 child neglect, or who poses an immediate threat to the health, safety, or welfare of children;⁷
- 28 3. Who is listed on the state's abuse of vulnerable persons registry maintained by the Department
29 of Health, or on a similar registry in another jurisdiction;⁷
- 30 4. Who does not present a certificate from a licensed health care provider showing a satisfactory
31 physical examination or who has a contagious or communicable disease in such form that might

- 1 endanger the health of school children, subject to the provisions of the Americans with
2 Disabilities Act and the associated regulations;⁸
- 3 5. Who refuses to take and subscribe to an oath to support the Constitution of the State of Tennessee
4 and of the United States of America;⁹
- 5 6. Who fails to make a full disclosure of any prior criminal record and any prior dismissals from
6 employment for cause; or
- 7 7. Who does not receive a satisfactory background check.¹⁰

8 *Support Employees*

9 The application process shall be in accordance with procedures approved by the Director of Schools.
10 Procedures for screening, interviewing, and employment shall be defined or approved by the Director of
11 Schools. All employment shall be done in a fair and equitable manner. There shall be no discrimination
12 on the basis of sex, race, national origin, religion, age or disabilities.

13 No person shall be employed:

- 14 1. Who has any contagious or communicable disease in such form that might endanger the health
15 of the children, subject to the provisions of the Americans with Disabilities Act and the associated
16 regulations;⁸
- 17 2. Who has been identified by the Department of Children's Services, **or on a similar registry in**
18 **another jurisdiction, as a perpetrator of child abuse, severe child abuse, child sexual abuse, or**
19 **child neglect, or who poses an immediate threat to the health, safety, or welfare of children;**⁷
- 20 3. Who is listed on the state's abuse of vulnerable persons registry maintained by the Department
21 of Health, **or on a similar registry in another jurisdiction;**⁷
- 22 4. Who has not complied with the Immigration Reform and Control Act of 1986;¹¹
- 23 5. Who fails to make a full disclosure of any prior criminal record and any prior dismissals from
24 employment for cause; or
- 25 6. Who does not receive a satisfactory background check.¹⁰

26 **EMPLOYMENT**

27 After checking references and receiving written recommendations, the Director of Schools shall hire
28 and assign qualified applicants.

29 *Initial Employment for Professional Employees*

30 Upon initial employment, the Director of Schools shall notify such person, in writing, of the offer and
31 conditions of employment. Upon receipt of employment notification, such person shall respond within
32 the timeline established by state law. From the date of the written acceptance, such person is considered
33 to be under employment with the system and is subject to all rights, privileges, and duties.

34 *Support Employees*

35 Each person hired in a regular non-certified position shall be required to successfully complete a
36 probationary period of six (6) months.¹² The probationary period shall be an essential part of the
37 employment process, and shall be utilized for the most effective adjustment of a new employee. This

- 1 probationary period may preclude the permanent hiring or promotion of any employee whose
- 2 performance does not meet the required standard of work.

Legal References

1. TCA 49-5-406; TCA 49-5-413
2. State Board of Education Policy 5.501
3. TCA 49-5-406 (a)(2)(A)
4. TCA 49-5-413(c)
5. TCA 49-2-131
6. TCA 49-5-403; TCA 49-5-101; TCA 49-5-106
7. TCA 49-5-413(e); Public Acts of 2023, Chapter No. 222
8. TCA 49-5-404
9. TCA 49-5-405
10. TCA 49-5-413(a), (f)
11. Immigration Reform and Control Act of 1986; Pub. L. No. 99-603, 100 Stat. 3359, 8 USCA § 1101 *et seq.*
12. TCA 49-5-406(b)

Cross References

- Orientation and Probation 5.107
- Compensation Guides & Contracts 5.110
- Background Investigations 5.118
- Recommendations and File Transfers 5.203
- Qualifications and Duties of the Director of Schools 5.802

Rutherford County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Compensation Guides & Contracts	Descriptor Code: 5.110	Issued Date: 07/07/22
		Rescinds: 5.110	Issued: 05/04/21

1 All certified personnel must make a written contract with the Board at a fixed salary per month before
2 entering upon their duties.¹

3 The director of schools shall establish the salary rating of each person employed and shall recommend
4 such salary rating to the Board for its approval.²

5 Salaries of all employees, including supplemental pay, shall be paid by the Board. No payment to any
6 employee for service performed on behalf of the school system shall be made from any source other than
7 the Board.

8 Contracts for administrators and system-wide professional certified personnel shall include two hundred
9 (200) days of responsibility, plus twenty (20) days for each additional month assigned by the Board.
10 Each contract shall provide:³

- 11 1. A minimum of one hundred and eighty (180) working days;
- 12 2. A minimum of five (5) days for in-service education;
- 13 3. Ten (10) vacation days; and
- 14 4. Five (5) days as designated by the Board (teachers shall use one (1) day for parent-teacher
15 conferences⁴).

16 Certified professional employees anticipating completion of a new degree that will affect their salary for
17 the coming year shall notify the central office by May 1 of each year. Each professional employee shall
18 be awarded full credit for allowable teaching experience and academic training as established under the
19 State Board of Education Rules, Regulations and Minimum Standards.

20 Career and Technical Education (Occupational Education) teachers shall be placed on a step of the salary
21 schedule in accordance with the years of appropriate employment experience not to exceed a maximum
22 of ~~five (5)~~ **ten (10) years** provided such experience is confirmed by the previous employer and directly
23 relates to the teaching assignment.

24 Salaries and supplements may be paid from revenue derived from sources other than taxes, provided the
25 revenue is deposited with and salaries paid through the Board. This includes donations or contributions
26 from individual, civic or other non-school related sources of funds from individual school activity funds,
27 such as gate receipts and concessions.^{1,4}

1 **Advance Pay**

2 No advance payments of salary shall be made, with the exception of newly hired professional employees
3 who may, at their option, elect to receive \$1500 of their first salary installment after completion of the
4 first ten (10) workdays of employment.

5 **Administrative Salary Schedule**

6 The salary index for principals and central office personnel shall be approved by the board each year.

7 **Coaching Supplements**

8 Beginning in the 2021-2022 school year, no employee or non-faculty volunteer shall receive a
9 supplement or stipend for both a head coaching position and an assistant coaching position for the same
10 team, even if the assistant coaching position is unstaffed.

Legal References

1. TCA 49-2-203(a)(1); TCA 49-5-408
2. TCA 49-5-402
3. TCA 49-6-3004
4. TCA 49-6-2006(a)

Cross References

School Calendar 1.800
Revenues 2.400
Payroll 2.802
Application and Employment 5.106

Rutherford County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Employment of Retirees	Descriptor Code: 5.119	Issued Date: 05/25/23
		Rescinds: 5.119	Issued: 07/27/22

1 *General*

2 The Director of Schools may hire a retired individual if certain conditions are met as provided for in
3 state law.

4 Retired teachers shall be eligible to accrue sick days as a regular certified employee but are not eligible
5 to receive compensation for accrued days not used.

6 **EMPLOYMENT CONTRACTS FOR UP TO 120 DAYS**

7 Teachers who retire under the Tennessee Consolidated Retirement System (TCRS) may be employed
8 for up to one hundred twenty (120) days per year without loss of retirement benefits. Retired teachers
9 may substitute teach for additional days if the Director of Schools certifies in writing to the Division of
10 Retirement that no other qualified personnel are available to substitute teach.¹

11 **EMPLOYMENT CONTRACTS FOR ONE YEAR**

12 The Director of Schools may employ teachers retired for at least one (1) year for full-time employment
13 as a kindergarten through twelfth (K-12) grade teacher on a year-to-year basis. Retirement benefits will
14 not be lost or suspended under certain conditions which include, but are not limited to, the following:²

- 15 1. ~~The Director of Schools of the employing district shall certify in writing that no other qualified~~
16 ~~individuals are available to fill the position;~~
- 17
- 18 2. ~~The Commissioner of Education shall certify that the employing school district serves an area~~
19 ~~that lacks qualified teachers to serve in the position to be filled;~~
- 20
- 21 3. The retired teacher shall hold a valid license and shall not be entitled to tenure status;
- 22
- 23 4. The retired teacher shall not be eligible to accrue additional retirement benefits, accrue leave
24 other than sick leave, or receive medical insurance coverage; and
- 25
- 26 5. The salary paid to the retired teacher shall not be less than the rate of compensation set by the
27 Board for teachers with no experience filling similar positions or more than eighty-five percent
28 (85%) of the rate of compensation set by the Board for teachers with comparable training and
29 years of experience filling similar positions.

1 ADDITIONAL EMPLOYMENT OPTION FOR RETIREES³

2 Retired members of TCRS or a similar system may be offered reemployment for up to one (1) year as
3 a kindergarten through twelfth (K-12) grade teacher, substitute teacher, or bus driver under the
4 following conditions:

- 5 1. The retired member has been retired for at least sixty (60) calendar days;
- 6
- 7 2. The retirement benefit payable to the retired member is reduced to seventy percent (70%) of the
8 retirement allowance;
- 9
- 10 3. The retired member's employment can't be longer than a one (1) year period; however, the
11 retired member can be reemployed for additional one (1) year periods;
- 12
- 13 4. The retired member is not drawing disability retirement benefits; and
- 14
- 15 5. The retired member can't accrue additional retirement benefits.

16 The Director of Schools shall notify TCRS of the member's reemployment and certify in writing that
17 the retired member has the required experience and training for the position and that no other qualified
18 persons are available to fill the position.

19 Once the retired member is hired by the district, the district shall pay TCRS as prescribed by state law.
20 The school district shall pay to TCRS during the period of reemployment the greater of (1) a payment
21 equal to the amount the school district would have contributed to TCRS; or (2) an amount equal to five
22 percent (5%) of the retired member's pay rate.
23

Legal References

1. TCA 8-36-805
2. TCA 8-36-821
3. TCA 8-36-822

Cross References

Application and Employment 5.106
Substitute Teachers 5.701

Rutherford County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Sick Leave	Descriptor Code: 5.302	Issued Date: 01/05/21
		Rescinds: 5.302	Issued: 09/18/19

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.¹

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.²

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 pay¹ 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.³

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.

21 Personnel shall be granted bereavement leave up to three (3) days per event in the event of death of an
22 immediate family member. Interim employees and re-employed retirees will be granted bereavement
23 leave up to three (3) days per event in the event of death of an immediate family member after six (6)
24 months of employment. Immediate family member shall include the employee's spouse/legal guardians,
25 parents, grandparents, children, grandchildren, siblings, mother-in-law, father-in-law, daughter-in-law,
26 son-in-law, brother-in-law, sister-in-law, step-mother, step-father, step-siblings, step-children, step-
27 grandchildren, and foster children. Personnel shall be granted bereavement leave up to one (1) day per
28 event in the event of death of a cousin, aunt, uncle, niece, or nephew. If additional days are needed for
29 out of state travel, personnel shall discuss with the principal the need to use up to two (2) additional sick

1 days without the requirement of a doctor's note. Personnel will be responsible for submitting
2 bereavement documentation within five (5) working days of returning to work.

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

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

8 **SUPPORT PERSONNEL**

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

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

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

14 **SICK LEAVE BANK**

15 The purpose of the sick leave bank is to provide sick leave to all employees⁴ who have suffered an
16 unplanned personal illness, injury, disability, or quarantine and whose personal sick leave is exhausted.

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

24 At any time, the number of days in the sick leave bank is less than twenty (20), or one (1) per employee
25 if there are more than twenty (20) members, or at any time deemed advisable, the trustees shall assess
26 each member one (1) or more days of accumulated sick leave. If an employee has no accumulated sick
27 leave at the time of assessment, the first earned days shall be donated as they are accrued by the
28 employee.⁷

29 An employee who is a member of the sick leave bank may request an allotment of days (for the
30 **employee's personal illness only or on account of an illness of his/her minor child**) in the manner
31 designated by the trustees. The need for these days must be verified by a statement from a doctor.

32 By written notice to the trustees, an employee may withdraw from bank participation on June 30 of any
33 year.⁸ Membership withdrawal results in forfeiture of all days contributed.

- 1 The sick leave bank shall be operated in accordance with state law.

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

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: Review: Annually, in January	Descriptor Term: Family and Medical Leave	Descriptor Code: 5.305	Issued Date: 10/31/18
		Rescinds: 5.305	Issued: 03/17/16

1 PURPOSE

2 To entitle employees to take reasonable leave for medical reasons, for the birth or adoption of a child,
3 and for the care of a child, spouse or parent who has a serious health condition.

4 ELIGIBILITY

5 Anyone who has been employed for at least twelve (12) months by the school district and anyone who
6 has at least 1,250 hours of service (hours used for leave, even FMLA leave, shall not be credited for
7 service for purposes of FMLA eligibility¹) during the previous twelve-month period shall be eligible to
8 use FMLA leave.²

9 GENERAL PRINCIPLES

10 An eligible employee shall be granted, upon request, up to twelve (12) weeks unpaid leave during a fixed
11 calendar year for the following reasons:

- 12 1. The birth of a child;
- 13
- 14 2. The placement of a child with the employee for adoption or foster care;
- 15
- 16 3. A serious health condition of the employee that makes the employee unable to perform the
17 essential functions of his or her job position;
- 18
- 19 4. The care of a spouse, child, or parent of the employee who has a serious health condition; and
20
- 21 5. Any qualifying circumstances arising out of the fact that a spouse, child, or parent of the
22 employee is on covered active duty or has been notified of an impending call or order to
23 covered active duty in the Armed Forces.

24 Granting of leave under this policy shall be subject to, and in accordance with, the provisions of
25 applicable federal and state laws. An employee may substitute accrued paid leave for unpaid time. Use
26 of accrued paid leave shall run concurrently with and be counted toward the employee's total period of
27 FMLA leave.
28

1 MATERNITY/PATERNITY LEAVE

- 2 1. *Relationship between FMLA leave and Tennessee Maternity Leave Act*- FMLA leave shall run
3 concurrently with leave provided under the Tennessee Maternity Act, which affords eligible
4 employees leave for a period not to exceed four (4) months for the adoption, pregnancy,
5 childbirth, and nursing of a newborn child.³
6
- 7 2. *Teachers' Leave*- In accordance with state law, any teacher who goes on maternity leave shall be
8 allowed to use all or a portion of the teacher's accumulated sick or annual leave for maternity
9 leave purposes. In order to be eligible to use sick leave, written request of the teacher
10 accompanied by a statement from the teacher's physician verifying pregnancy shall be submitted.
11 Upon verification by a written statement from an adoption agency or other entity handling an
12 adoption, a teacher may also be allowed to use accumulated leave for adoption of a child. If both
13 adoptive parents are teachers employed by the district, however, only one (1) parent is entitled
14 to use such leave.⁴
15

16 Spouses who are both eligible employees of the school district are limited to a combined total of
17 twelve (12) workweeks of FMLA leave in a single twelve (12) month period if the leave is taken
18 for the birth and care of a newborn child, for the placement of a child for adoption or foster care,
19 or to care for a parent who has a serious health condition. Under certain circumstances, spouses
20 who share leave for the birth or adoption of a child may be eligible for limited amounts of
21 additional leave for other qualifying FMLA reasons.⁵
22

- 23 3. ***Paid Parental Leave*** – Under state law, an additional six (6) work weeks of paid leave is available
24 to eligible employees after a birth, stillbirth, or adoption of a newly placed minor child. An
25 eligible employee taking leave under this provision shall not be required to utilize any other type
26 of accrued leave during this period. Eligible employees include teachers, principals, supervisors,
27 or other individuals required by law to hold a valid license of qualification for employment who
28 have been employed with a school district full time for at least twelve (12) consecutive months.
29

30 Employees shall provide notice to the school district thirty (30) days prior to the intended use of
31 the leave. If the employee learns about the need for leave less than thirty (30) days in advance,
32 the employee shall give notice as soon as reasonably possible in order to be eligible for the paid
33 leave. This paid leave does not need to be taken consecutively; however, the paid leave shall be
34 used within twelve (12) months of the qualifying event. The leave shall run concurrently with
35 FMLA leave.⁶

36 LEAVE FOR A SERIOUS HEALTH CONDITION⁷

37 Eligible employees, upon request, shall be granted up to twelve (12) weeks of unpaid leave when he/she
38 is unable to work because of a serious health condition or to care for an immediate family member, as
39 defined by the FMLA, with a serious health condition. Granting of such leave shall be subject to the
40 provisions of applicable federal and state laws. Employees shall contact Human Resources to determine
41 if the reason for leave qualifies as FMLA leave. If the leave is foreseeable, the employee shall give thirty
42 (30) days' notice. If the leave is not foreseeable, the employee shall notify Human Resources as soon as
43 practicable, generally, either the same or next business day.

LEAVE FOR MILITARY FAMILY MEMBERS

1. *Qualifying Exigency Leave*⁸ - Eligible employees are entitled to up to twelve (12) workweeks of leave because of any “qualifying exigency” arising out of the fact that the spouse, son, daughter, or parent of the employee, as defined under the FMLA, is on active duty, or has been notified of an impending call to active duty, or has been notified of an impended call to active duty status in the Armed Forces. Qualifying exigencies may include:

- a. Issues arising from the service member’s short notice deployment;
- b. Military events and related activities (e.g. official ceremonies, support programs);
- c. Making or updating financial and legal arrangements;
- d. Attending counseling;
- e. Taking up to fifteen (15) days leave to spend time with a covered service member who is on short-term rest and recuperation leave during deployment; or
- f. Attending post-deployment activities.

2. *Military Caregiver Leave*⁹- An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member or covered veteran with a serious injury or illness is entitled to up to twenty-six (26) workweeks of leave in a “single twelve (12) month period.” A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in out-patient status, or is otherwise on the temporary disability retired list for a serious injury or illness.

A covered veteran is an individual who was a member of the Armed Forces at any time during the period of five (5) years preceding the date of the medical treatment, recuperation, or therapy that has a serious injury or illness who is currently receiving medical treatment, recuperation, or therapy.

The calculation of this five (5) year period shall not include the interval of October 28, 2009 through March 8, 2013. The “single twelve (12) month period” for military caregiver leave begins on the first day the employee takes leave for this reason and ends twelve (12) months later. An eligible employee is limited to a combined total of twenty-six (26) workweeks of leave to provide care for a covered service member. The maximum of twenty-six (26) workweeks may include no more than twelve (12) workweeks of leave that is taken for the birth and care of a newborn child, for the placement of a child for adoption or foster care, for care of a parent who has a serious health condition, or for the employee’s own serious health condition.

INTERMITTENT LEAVE¹⁰

Eligible employees may take FMLA leave intermittently when medically necessary to care for a seriously ill family member as defined under the FMLA, because of the employee’s own serious health condition, or for the care for a newborn, a newly adopted child, or a newly placed foster care child. When a licensed employee requests foreseeable leave for planned medical treatment and the employee would be on leave for greater than 20% of the total number of working days in the period during which the leave would extend, the school district may require that such employee elect either to take the leave for periods of a particular duration, not to exceed the duration of the planned medical treatment, or to transfer

1 temporarily to an available alternative position offered by the school district for which the employee is
2 qualified and that has equivalent pay and benefits and better accommodates recurring periods of leave.

3 RESTRICTIONS

4 1. Notice Requirements

- 5
- 6 a. *Employee Notice*¹¹- For foreseeable leave, the employee shall provide the Director of
7 Schools with at least thirty (30) days written notice before the beginning of the anticipated
8 leave.
- 9
- 10 b. *District Notice*- Once it has been established that the leave requested qualifies for
11 FMLA, the Director of Schools/designee shall notify the employee within three (3)
12 business days (absent extenuating circumstances) that any leave taken pursuant to state
13 leave statutes (paid vacation leave, personal leave, sick leave, or workers'
14 compensation) shall run concurrently with FMLA leave.¹² The notice may be given
15 orally or in writing. If the notice is oral, it shall be confirmed in writing, no later than
16 the following pay day.¹³

17 2. Certification Requirement¹⁴

- 18
- 19 a. The Director of Schools may require that a request for leave be supported by
20 certification issued by a health care provider with the following information:
- 21
- 22 i. The date on which the serious health condition commenced;
- 23 ii. The probable duration of the condition;
- 24 iii. The appropriate medical facts within the knowledge of the health care provider
25 regarding the condition; and
- 26 iv. A statement that the eligible employee is needed to care for the son, daughter,
27 spouse, or parent and an estimate of the amount of time that such employee is
28 needed.
- 29
- 30 b. If there is any reason to doubt the validity of the certification provided, the Director of
31 Schools may require, at the expense of the school district, an opinion of a second health
32 care provider.
- 33

34 3. Period Near the End of an Academic Term (Professional Employees)¹⁵

- 35
- 36 a. If leave is taken more than five (5) weeks prior to the end of the term, the Director of
37 Schools may require the employee to continue taking leave until the end of the term if
38 the leave is at least three (3) weeks of duration and the return of employment would
39 occur during the three (3) week period before the end of the term.
- 40
- 41 b. If the leave is taken five (5) weeks prior to the end of the term, the Director of Schools
42 may require the employee to continue taking leave until the end of the term if the leave
43 is greater than two (2) weeks duration and the return to employment would occur during
44 the two (2) week period before the end of the term.
- 45

1 **REQUIREMENTS OF THE BOARD**¹⁶

- 2 1. The employee shall be restored to the same position of employment or an equivalent position
3 with no loss of benefits, pay, or other terms of employment.
- 4 2. The employee shall be kept under any group health plan for the duration of the leave.
- 5 3. The Board may recover the premium paid under the following conditions:
6
7 a. The employee fails to return from leave after the period of leave has expired; and
8 b. The employee fails to return to work for a reason other than the continuation,
9 recurrence, or onset of a serious health condition or other circumstances beyond the
10 control of the employee.

Legal References

1. *Hinson v. Tecumseh Products Co.*, 2000 U.S. App. LEXIS 26778, at *1—10 (6th Cir. Oct. 17, 2000)
2. Federal Family and Medical Leave Act of 1993, 29 USCA § 2601, 2611—2619
3. TCA 49-5-702; TCA 4-21-408
4. TCA 49-5-710(a)(2); Public Acts of 2018, Chapter No. 907
5. 29 CFR § 825.120(a)(3)
6. Public Acts of 2023, Chapter No. 399
7. 29 CFR § 825.113
8. 29 CFR § 825.126
9. 29 CFR § 825.124; 29 CFR § 825.127
10. 29 CFR § 825.202
11. 29 CFR § 825.302-825.304
12. 29 CFR § 825.207
13. OP Tenn. Atty Gen 94-006 (Jan 13, 1994); *Plant v. Morton International, Inc.*, 212 F. 3d 929, 932 (6th Cir. 2000)
14. 29 CFR § 825.305-825.313
15. 29 CFR § 825.602
16. 29 USCA § 2614

Cross References

- Sick Leave 5.302
Long-Term Leaves of Absence 5.304

Rutherford County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Physical Assault Leave	Descriptor Code: 5.307	Issued Date: 08/15/13
		Rescinds:	Issued:

1 A teacher who is absent from assigned duties as a result of personal injury caused by physical assault
 2 or other violent criminal acts committed in the course of the teacher's employment duties, shall receive
 3 ~~workers' compensation or comparable benefits without loss of accumulated or granted sick, personal or~~
 4 ~~professional leave.~~ **his/her full salary and full benefits until the teacher is released by his/her physician**
 5 **to return to work or his/her physician determines the teacher is permanently unable to return to work.**
 6 **If the teacher receives workers' compensation or other similar benefits, the Board shall pay the**
 7 **difference between that amount and the teacher's full salary.¹**

8 ~~The school system shall continue to pay the teacher's full benefits including, but not limited to health~~
 9 ~~insurance benefits, until the earlier of the date on which the teacher is released by the teacher's~~
 10 ~~physician to return to work or the date on which the teacher is determined by the teacher's physician to~~
 11 ~~be permanently disabled from returning to work.²~~

12 A signed statement listing the cause of the absence shall be provided by the employee on forms
 13 furnished by the Director of Schools and shall promptly be given to the immediate supervisor in
 14 support of all claims. A certificate from the physician on forms furnished by the Director of Schools
 15 may also be required to verify the extent of the injury.²

Legal References:

- 1. TCA 49-5-714(a); Public Acts of 2023, Chapter No. 343
- 2. TRR/MS 0520-01-02-.04(5)

Cross References:

- Worker's Compensation 3.602
- Long Term Leaves of Absence 5.304

Rutherford County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Vacations and Holidays	Descriptor Code: 5.310	Issued Date: 12/03/09
		Rescinds: 5.310	Issued: 01/15/09

VACATIONS

Scheduling vacation time will be subject to the immediate supervisor's approval.¹ The annual leave for twelve (12) month full-time employees of the Rutherford County Board of Education shall be as follows:

1. Zero Through Five (5) Years of Employment: One (1) day per month with a maximum accumulated days of thirty (30).
2. Six (6) Through Ten (10) Years of Employment: One and one-half (1 1/2) days per month with a maximum accumulated days of thirty-six (36).
3. Eleven (11) Through Twenty (20) Years of Employment: One and three-quarters (1 3/4) days per month with a maximum accumulated days of thirty-nine (39).
4. Twenty-one (21) Plus Years of Employment: Two (2) days per month with a maximum accumulated days of forty-two (42).

Any annual leave days which are earned and exceed the maximum number of accumulated days allowed for annual leave shall automatically expire and be lost for annual leave purposes when they exceed the maximum number of accumulated days by June 30, but said annual leave days shall be converted to authorized accumulated sick leave days.

When employees retire or leave their employment, said employees shall be paid for their accumulated, unused annual leave.

An employee's years of employment for vacation purposes shall be the same as the employee's years of experience for pay purposes.

HOLIDAYS

Professional Personnel

Twelve month professional personnel will be provided the following holidays: New Year's Eve, Labor Day, Thanksgiving Day (two days), Christmas (two days), New Year's Day, Good Friday, Memorial Day, Juneteenth, July 4th, and any additional days approved by the Board.

Support Personnel

Paid holidays shall be provided as follows:

**10 Month Full-Time
and Part-time Employees**

**12 Month Full-Time
and Part-Time Employees**

- New Year's Day
- Martin Luther King Day
- President's Day
- Good Friday
- Labor Day
- Thanksgiving Day (2 days)
- Christmas Eve
- Christmas Day
- New Year's Eve

- New Year's Day
- Martin Luther King Day
- President's Day
- Good Friday
- Memorial Day
- Juneteenth**
- July 4
- Labor Day
- Thanksgiving Day (2 Days)
- Christmas Eve
- Christmas Day
- New Year's Eve

*and any additional days approved by the Board.

Effective September 1, 1998, for the purposes of this policy, a full-time employee is defined as an employee who is scheduled to work a minimum of thirty-five (35) hours per week; a part-time employee is defined as an employee who is scheduled to work less than thirty-five hours per week. Temporary or substitute employees are not covered by this policy.

For each holiday, the number of hours that comprise the holiday will be the daily hours specified for that employee when he/she was hired or last rehired.

Any employee who is eligible to be paid for the board-approved holidays must also meet the following conditions:

1. The employee works his/her last scheduled workday prior to and his/her next scheduled workday after such holiday, or
2. The employee uses such paid leave time as he/she is entitled to based upon employment status to cover his/her last scheduled workday prior to and his/her next scheduled workday after such holiday.

For all 12 month employees on a 4-day work week during the summer months, a 10-hour workday shall be set for July 4th for holiday pay purposes.

Legal Reference:

1. TCA 5-23-101;104

Rutherford County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Staff Rights & Responsibilities	Descriptor Code: 5.600	Issued Date: 08/16/17
		Rescinds:	Issued:

1 In fulfilling any citizenship rights and responsibilities, employees shall give proper consideration to the
2 educational welfare of students and ensure that no conflict exists with their actual duties.

3 Each staff member has the right to:¹

- 4 1. A work environment free from sexual, racial, ethnic, and religious discrimination/harassment;²
- 5 2. Academic freedom within the confines of state law and board policy in order to create an
6 atmosphere of freedom in the classroom.

7 Educators have the right to:

- 8 1. Be treated with civility and respect as well as having his/her professional judgement and
9 discretion respected;
- 10 2. Report any errant, offensive, or abusive content or behavior of a student to the principal and/or
11 appropriate agencies;
- 12 3. Provide students with a safe environment;
- 13 4. Defend themselves and their students from physical violence or harm;³
- 14 5. Share information regarding a student's educational experience, health, or safety with the
15 student's parent(s)/guardian(s) unless otherwise prohibited;⁴
- 16 6. Review all instructional material or curriculum before being utilized by students;
- 17 7. Not be required to use his/her personal money to appropriately equip a classroom;
- 18 8. Report students who commit offenses of assault and battery or vandalism on school property
19 endangering the life, health, or safety of others pursuant to state law;⁵ and
- 20 9. Receive benefits in accordance with state law if the educator is a teacher who is on leave due to
21 a physical assault or other violent criminal act committed during the course of employment.⁶

22 Each staff member has the responsibility to:

- 23 1. Make themselves familiar with and abide by, the laws of the state as these affect their work, the
24 policies of the board and the procedures designed to implement them;⁵

- 1 2. To adhere to the Teacher Code of Ethics;⁶
- 2 3. Exercise good judgment in selecting issues for discussion and balance the relative maturity of
- 3 students and the students' right to know;
- 4 4. Be courteous and helpful in interacting and responding to parents, visitors and members of the
- 5 public;
- 6 5. Keep all records and prepare and submit promptly all reports that may be required by state law,
- 7 state board regulations, board policy and administrative procedures; and
- 8 6. Wear appropriate dress for work according to board guidelines and local school rules.

Legal References

1. 42 USCA § 2000e-2(a),(b); TCA 49-6-8004
2. TCA 49-5-209; Public Acts of 2023, Chapter No. 153
3. TCA 49-6-2802
4. 20 USCA 1232g
5. TCA 49-6-4301
6. TCA 49-5-714
7. TCA 49-5-1001 *et seq.*

Cross References

- Curriculum Development 4.200
Controversial Issues 4.800
Religion in the Curriculum 4.804

Rutherford County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Attendance	Descriptor Code: 6.200	Issued Date: 07/27/22
		Rescinds: 6.200	Issued: 07/22/21

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

5 The attendance supervisor shall oversee the entire attendance program which shall include:¹

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

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

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

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

25 Excused absences shall include:⁴

- 26 1. Personal illness/injury

- 1 a. A note from the student's parent/guardian or legal custodian will be required upon the
2 student's returning to school. The note should include the reason(s) for and the date(s)
3 of the absence.
- 4 b. The school may accept a written note from a parent/guardian or legal custodian for
5 up to a total of eight (8) accumulated days during the school year for any absence.
6 However, if a student is absent more than a total of eight (8) accumulated days, a
7 doctor's note specifying inclusive dates for illness must be submitted in order for any
8 subsequent absences due to illness to be excused.

9
10 2. Illness of immediate family member

- 11 a. A doctor's statement may be required after three (3) days. Immediate family member
12 is defined as a student's parent/guardian or sibling.

13
14 3. Death in the family

- 15 a. One day shall be excused for death of family members. Additional days will be
16 excused at the discretion of the principal.
- 17 b. If the death is not of a family member, the principal may approve as an unexcused
18 absence with appropriate documentation.

19 4. Extreme weather conditions

20 5. Religious observances⁵

21 6. Military Service of Parent/Guardian⁶

- 22 a. School principals shall provide students with a one-day excused absence prior to the
23 deployment of and a one-day excused absence upon the return of a parent/guardian
24 or immediate family member serving active military service.
- 25
26 b. Principals shall also allow up to ten (10) excused cumulative absences per year for
27 students to visit a parent/guardian during a deployment cycle. The student shall
28 provide documentation to the school as proof of his/her parent's/guardian's
29 deployment. Students shall be permitted to make up schoolwork missed during these
30 absences.⁶

31 7. Pregnancy

32 8. School-endorsed activities

33 9. Summons, subpoena, or court order

- 34 a. Written verification of the appearance and the time involved must be submitted
35 upon the student's return to school. These excuses may be obtained through the
36 Court Clerk's office.

37
38 10. Non-School-Sponsored Extracurricular Activity

- a. Documentation of the student's participation in the non-school-sponsored extracurricular activity must be submitted;
- b. The student's parent/guardian submits to the principal a written request for the excused absence no later than seven (7) business days prior to the student's absence.
- c. The principal, in writing, approves the student's excused absence.
- d. The principal may limit the number and duration of non-school-sponsored extracurricular activities for which excused absences may be granted to a student during the school year.
- e. The principal shall excuse no more than ten (10) absences each school year for students participating in non-school-sponsored extracurricular activities.

11. Circumstances which in the judgment of the principal create emergencies over which the student has no control.

The principal shall be responsible for ensuring that:⁷

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

TRUANCY

General

Annually, the Director of Schools/designee will provide written notice to parent(s)/guardian(s) that attendance at school is required. Students shall be present at least fifty percent (50%) of the scheduled school day in order to be counted present. Students receiving special education services may attend part-time days, alternating days, or for a specific amount of time as indicated in their Individualized Education Plan or 504 Plan and shall be considered present for school attendance purposes. If a student is required to participate in a remedial instruction program outside of the regular school day where there is no cost to the parent(s) and the school system provides transportation, unexcused absences from these programs shall be reported in the same manner.⁸

Students who are absent five (5) days without adequate excuse shall be reported to the Director of Schools/designee who will, in turn, provide written notice to the parent(s)/guardian(s) of the student's absence. If a parent/guardian does not provide documentation within adequate time excusing those absences or request an attendance hearing, then the Director of Schools shall implement tier two of the progressive truancy plan described below prior to referral to juvenile court.

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

1 *Progressive Truancy Intervention Plan*⁹

2 **Tier 1**

3 Tier I of the progressive truancy plan shall apply to all students within the district and include schoolwide
4 prevention-oriented supports to assist with satisfactory attendance. These supports shall include, but are
5 not limited to, sharing of expectations online and in student handbooks, communicating tardies and
6 absences to families daily, providing transportation, and sharing community resources such as before
7 and after-school care options.

8 **Tier II**

9 Tier II of the progressive truancy plan shall be implemented after the student accumulates five (5)
10 unexcused absences, but before referral to juvenile court, and includes the following:

- 11 1. A conference with the student and the student's parent(s)/guardian(s);
12
13 2. An attendance contract, based on the conference, signed by the student, the parent(s)/guardian(s),
14 and the Attendance Supervisor/designee. The contract shall include:
15
16 a. A specific description of the school's attendance expectations for the student;
17 b. The period for which the contract is effective; and
18 c. Penalties for additional absences and alleged school offenses, including additional
19 disciplinary action and potential referral to juvenile court.
20
21 3. Regularly scheduled follow-up meetings to discuss the student's progress; and
22
23 4. A school employee shall conduct an individualized assessment detailing the reasons a student
24 has been absent from school. The employee may refer the student to counseling, community-
25 based services, or other services to address the student's attendance problems.

26 **Tier III**

27 Tier III shall be implemented if the truancy interventions under Tier II are unsuccessful. Tier III may
28 consist of the following interventions, to be determined by the principal as needed: utilizing truancy
29 officers, peer mentors, social workers, or other appropriate staff to encourage consistent attendance, meet
30 with families to ascertain needs and hinderances to attendance, offering recommendations for
31 community resources such as before and after school care, and/or discuss transportation needs and assist
32 with problem-solving those needs. The interventions shall address students' needs in an age-appropriate
33 manner. Finalized plans shall be approved by the Director of Schools/designee.

34 **COLLEGE VISITS**¹⁰

35 Any high school student wishing to participate in a postsecondary school visit during the school year
36 shall submit to the principal/designee prior notice from the his/her parent/guardian specifying the date
37 of the school visit. The parent(s)/guardian(s) of the student shall be responsible for facilitating any
38 postsecondary school visits and for ensuring the safety of the student during the visit.

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

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

7 The student shall complete any schoolwork missed due to the student participating in a postsecondary
 8 school visit.

9 **PERFECT ATTENDANCE**

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

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

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

21 **POSITIVE INCENTIVES FOR PERFECT ATTENDANCE**

22 **Grades K-8**

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

24 **Grades 9-12**

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

30		
31	Full Year Classes	One Semester Class
32	8 absences-A average	4 absences-A average
33	6 absences-B average	3 absences-B average
34	4 absences-C average	2 absences-C average

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

3 **CREDIT/PROMOTION DENIAL**

4 Credit/promotion denial determinations may include student attendance; however, student attendance
5 may not be the sole criterion.¹² If attendance is a factor, prior to credit/promotion denial, the following
6 shall occur:

7 1. The student and the parent/guardian shall be advised if student is in danger of credit/promotion
8 denial due to excessive absenteeism.

9
10 2. Procedures in due process are available to the student when credit or promotion is denied.
11

12 **DRIVER'S LICENSE REVOCATION²**

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

15 **ATTENDANCE HEARING¹³**

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

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

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

Legal References

1. TCA 49-6-3006
2. TCA 49-6-3017(c); Public Acts of 2022, Chapter No. 878
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. Public Acts of 2023, Chapter No. 130
12. TCA 49-2-203(b)(7); TCA 49-6-3002(b)
13. TRR/MS 0520-01-02-.17(7)

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: Review: Annually, in March	Descriptor Term: Home Schools	Descriptor Code: 6.202	Issued Date: 12/15/22
		Rescinds: 6.202	Issued: 07/07/22

1 *General*

2 A home school is a school conducted or directed by parent(s)/guardian(s) for their own children. Home
3 schools which teach grades K-12 where the parent(s)/guardian(s) are associated with an organization
4 that conducts church-related schools¹ are exempt from the following provisions but shall follow
5 procedures issued by the State Department of Education.

6 A parent/guardian wishing to conduct a home school shall meet the following requirements:²

- 7 1. Provide annual notice to the Director of Schools before the commencement of each school year of
8 the intent to conduct a home school;
- 9 2. Submit to the Director of Schools the name, number, age, grade level of children involved, location
10 of the school, curriculum to be offered, proposed hours of instruction, and qualifications of the
11 parent-teacher;
- 12 3. Maintain attendance records, subject to inspection by the Director of Schools;
- 13 4. Submit attendance records to the Director of Schools at the end of each school year;
- 14 5. Provide instruction for at least four (4) hours per day for the same number of instructional days as
15 are required by state law;³
- 16 **6. Possess a high school diploma, GED, or HiSET or a high school equivalency credential approved
17 by the State Board of Education;⁴**
- 18 7. Cooperate in the administration to home school students of appropriate tests by the Commissioner
19 of Education/designee or by a professional testing service in grades five (5), seven (7), and nine (9);
- 20 8. Take actions according to state law if home school student falls behind appropriate grade level;
- 21 ~~9. Submit proof to the Director of Schools that the home school student has been vaccinated as required
22 by state law;⁵~~
- 23 10. Submit proof to the Director of Schools that other health services and examinations as required by
24 state law have been received by the home school student; and
- 25 11. In the event of illness or inadequacy of the home school parent-teacher to teach a specific subject,
26 employ a tutor having the same qualifications as required of parent-teacher.

1 If one or more of these requirements are not met, the Board authorizes the Director of Schools to take
2 formal action to bring the child into compliance with the compulsory attendance law (until the child has
3 reached age seventeen (17), either in the home school or in a public, private, or church-related school).

4 **FACILITIES USE**

5 School facilities shall be available for home school instruction only when all of the following conditions
6 exist:

- 7 1. Special needs courses are being taught which require services unavailable to the home school
8 student;
- 9 2. These services cannot be provided through any means other than the schools;
- 10 3. Requests for services are made known by the home school parent when notice is given to the
11 Director of Schools of the intent to conduct a home school;
- 12 4. The Director of Schools investigates the request and makes recommendations to the Board;
- 13 5. No overcrowding, additional expenses, including providing transportation, or other special
14 situations which interfere with the normal operation of the school district shall be incurred; and
- 15 6. Approval by the Board shall be on a case-by-case basis.

16 **COCURRICULAR ACTIVITIES PARTICIPATION**

17 Students attending a home school in Rutherford County may participate in cocurricular (non-athletic)
18 activities at their zoned school when the following conditions are met:

- 19 1. The activity takes place outside of the school day; and
- 20 2. The principal of the zoned school gives approval for the student's participation.

21 Participation will not be permitted for activities that take place during class time/during the school day
22 (i.e., band class).

23 **INCLUSION OF HOMESCHOOLED STUDENTS IN JUNIOR RESERVE OFFICERS' 24 TRAINING CORPS UNITS (JROTC)**

25 Each public secondary educational institution that maintains a JROTC unit shall permit membership in
26 the unit to homeschooled students residing in the area served by the institution who are qualified for
27 membership in the unit.

28 **RECORD ACCESS**

29 The Director of Schools, through the Attendance Supervisor, shall have the attendance records of the
30 home school inspected at least two (2) times each school year in order to provide assistance in
31 implementing the compulsory attendance law.
32

1 STUDENT PERFORMANCE⁶

- 2 The Director of Schools shall develop administrative procedures regarding necessary consultations
3 with home school parents in regard to student performance.

Legal References

1. TCA 49-50-801(a)
2. TCA 49-6-3050(b)
3. TCA 49-6-3004(a); TCA 49-6-3050(b)(3)
4. TCA 49-6-3050(b)(4); Public Acts of 2023, Chapter No. 114
5. TCA 49-6-5001
6. TCA 49-6-3050(b)(6)

Cross References

Compulsory Attendance Ages 6.201

Rutherford County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Code of Conduct	Descriptor Code: 6.300	Issued Date: 03/08/23
		Rescinds: 6.300	Issued: 08/08/22

1 The Board delegates to the Director of Schools the responsibility of developing specific codes of conduct
2 which are appropriate for each level of school.¹ Codes of conduct for students in pre-kindergarten or
3 kindergarten shall utilize alternative disciplinary practices such as restorative practices, RTI²B, multi-
4 teared system of supports, and behavior intervention plans. Exclusionary discipline shall only be used as
5 a measure of last resort.² The development of each code shall involve principals and staff members of
6 each level and shall be based on evidence-based behavior support and interventions.³

7 The following levels of misbehavior and disciplinary procedures and options are standards designed to
8 protect all members of the educational community in the exercise of their rights and duties and to
9 maintain a safe learning environment where orderly learning is possible and encouraged.⁴ These
10 misbehaviors apply to student conduct on school buses, on school property, and while students are on
11 school-sponsored outings. Staff members have the authority to enforce the code of conduct³ and shall
12 ensure that disciplinary measures are implemented in a manner that.⁵

- 13 1. Balances accountability with an understanding of traumatic behavior;
- 14
- 15 2. Teaches school and classroom rules while reinforcing that violent or abusive behavior is not
16 allowed at school;
- 17
- 18 3. Minimizes disruptions to education with an emphasis on positive behavioral supports and
19 behavioral intervention plans;
- 20
- 21 4. Creates consistent rules and consequences; and
- 22
- 23 5. Models respectful, non-violent relationships.

24 In order to ensure that these goals are accomplished, the school district shall utilize the following
25 trauma-informed discipline practices: restorative practices, RTI²B, multi-tiered system of supports, and
26 behavior intervention plans.

27 MISBEHAVIORS: LEVEL I

28 This level includes minor misbehavior on the part of the student which impedes orderly classroom
29 guidelines or interferes with the orderly operation of the school, but which can usually be handled by
30 an individual staff member.

31 *Examples (not an exclusive listing)*

- 32 • Classroom disturbances

- 1 • Classroom tardiness
- 2 • Cheating and lying
- 3 • Abusive language
- 4 • Failure to do assignments or carry out directions
- 5 • Wearing, while on the grounds of a public school during the regular school day,
- 6 clothing that exposes underwear or body parts in an indecent manner that disrupts the
- 7 learning environment⁶
- 8 • Victimization of any student (harassment (sexual, racial, ethnic, religious), bullying,
- 9 cyber-bullying, and/or hazing)

10 *Disciplinary Procedures*

- 11 • The staff member intervenes immediately.
- 12 • The staff member determines what offense was committed and its severity.
- 13 • The staff member determines who committed the offense and if he/she understands the
- 14 nature of the offense.
- 15 • The staff member employs appropriate disciplinary options.
- 16 • The record of the offense and disciplinary action shall be maintained by the staff
- 17 member.

18 *Disciplinary Options (not an exclusive listing)*

- 19 • Verbal reprimand
- 20 • Special assignment
- 21 • Restricting activities
- 22 • Counseling
- 23 • Withdrawal of privileges
- 24 • Issuance of demerits
- 25 • Strict supervised study
- 26 • Detention
- 27 • In-school suspension
- 28 • Community service
- 29 • Reteaching of expectations
- 30 • Restorative practices
- 31 • Behavior contract
- 32 • Mediation
- 33 • Mentoring

34 **MISBEHAVIORS: LEVEL II**

35 This level includes misbehavior whose frequency or seriousness tends to disrupt the learning climate of
36 the school. These misbehaviors do not represent a direct threat to the health and safety of others but
37 have educational consequences serious enough to require corrective action on the part of
38 administrative personnel.

39 *Examples (not an exclusive listing)*

- 1 • Continuation of unmodified Level I misbehaviors
- 2 • School or class tardiness
- 3 • School or class truancy
- 4 • Using forged notes or excuses
- 5 • Disruptive classroom behavior
- 6 • Possession of a personal communication device when not authorized, if not drug related
- 7 • Victimization of any student (harassment (sexual, racial, ethnic, religious), bullying,
- 8 cyber-bullying, and/or hazing)

9 *Disciplinary Procedures*

- 10 • The student is referred to the principal for appropriate disciplinary action.
- 11 • The principal meets with the student and the staff member.
- 12 • The principal hears the accusation made by the staff member and allows the student the
- 13 opportunity to explain his/her conduct.
- 14 • The principal takes appropriate disciplinary action and notifies the staff member of the
- 15 action.
- 16 • The record of offense and disciplinary action shall be maintained by the principal.

17 *Disciplinary Options (not an exclusive listing)*

- 18 • Teacher/schedule change
- 19 • Mediation
- 20 • Modified probation
- 21 • Behavior modification programs
- 22 • Peer counseling
- 23 • Referral to outside agency
- 24 • Transfer
- 25 • Detention
- 26 • Suspension from school-sponsored activities or from riding school bus
- 27 • In-school suspension
- 28 • Out-of-school suspension
- 29 • Referral for RTI²B
- 30 • Revision
- 31 • Reteaching of expectations
- 32 • Referral to Tier 2 behavioral supports
- 33 • Restorative practices
- 34 • Review and revision of a behavior plan
- 35 • Behavior contract
- 36 • Mentoring
- 37 • Community Service

1 **MISBEHAVIORS: LEVEL III**

2 This level includes acts directly against persons or property but whose consequences do not seriously
3 endanger the health or safety of others in the school.

4 *Examples (not an exclusive listing)*

- 5 • Continuation of unmodified Level I and II misbehaviors
- 6 • Fighting
- 7 • Vandalism (minor)
- 8 • Use, possession, sale, distribution, and/or being under the influence of tobacco, alcohol,
9 or a non-THC vape product
- 10 • Use, possession, sale, or distribution of drug paraphernalia
- 11 • Stealing
- 12 • Threats to others (including staff)
- 13 • Victimization of any student (harassment (sexual, racial, ethnic, religious), bullying,
14 cyber-bullying, and/or hazing)
- 15 • Elopement from classroom/school building
- 16 • Possession of fireworks not deemed an explosive by law enforcement

17 *Disciplinary Procedures*

- 18 • The student is referred to the principal for appropriate disciplinary action.
- 19 • The principal meets with the student and the staff member.
- 20 • The principal hears the accusation and allows the student the opportunity to explain
21 his/her conduct.
- 22 • The principal takes appropriate disciplinary action.
- 23 • The principal may refer the incident to the Director of Schools and make
24 recommendations for consequences.
- 25 • If the student's program is to be changed, adequate notice shall be given to the student
26 and his/her parent(s)/guardian(s) of the charges against him, his/her right to appear at a
27 hearing, and his/her right to be represented by a person of his/her choosing.
- 28 • Any change in school assignment is appealable to the Board.
- 29 • The record of offense and disciplinary action shall be maintained by the principal.

30 *Disciplinary Options (not an exclusive listing)*

- 31 • In-school suspension
- 32 • Detention
- 33 • Restitution from loss, damage, or stolen property
- 34 • Out-of-school suspension
- 35 • Social adjustment classes
- 36 • Transfer
- 37 • Referral to Tier 2 or 3 behavioral supports
- 38 • Restorative practices
- 39 • Review and revision of a behavior plan

- 1 • Behavior contract
- 2 • Mentoring
- 3 • Community Service
- 4 • Development of a safety plan

5 **MISBEHAVIORS: LEVEL IV**

6 This level of misbehavior includes acts which result in violence to another's person or property or
7 which pose a threat to the safety of others in the school. These acts are so serious that they usually
8 require administrative actions which result in the immediate removal of the student from the school,
9 the intervention of law enforcement authorities, and/or action by the Board.

10 If a student's action poses a threat to the safety of others in the school, a teacher, principal, school
11 employee, or school bus driver may use reasonable force when necessary to prevent bodily harm or
12 death to another person.⁷

13 *Examples (not an exclusive listing)*

- 14 • Continuation of unmodified Level I, II, and III behaviors
- 15 • Death threats
- 16 • Extortion
- 17 • Vandalism
- 18 • Theft/possession/sale of stolen property
- 19 • Arson
- 20 • Sexual misconduct not resulting in a charge deemed a zero tolerance in Policy 6.309.
- 21 • Marketing/Possession/distribution/sale/transfer of any substance which is represented to
22 be or is substantially similar in color, shape, size or markings to a controlled substance
- 23 • Possession/use/sale/transfer of alcoholic beverages
- 24 • Possession/distribution of any drug paraphernalia
- 25 • Use/transfer of unauthorized substances
- 26 • Victimization of any student (harassment (sexual, racial, ethnic, religious), bullying,
27 cyber-bullying, and/or hazing)
- 28 • Off-campus criminal behavior that results in the student being legally charged and/or
29 convicted with a felony or with what would have been a felony if the student were an
30 adult, and the student's continued presence in school poses a danger to persons or
31 property, or disrupts the educational process.⁶

32 *Disciplinary Procedures*

- 33 • The principal confers with appropriate staff members and with the student.
- 34 • The principal hears the accusations and allows the student the opportunity to explain
35 his/her conduct.
- 36 • The parent(s)/guardian(s) are notified.
- 37 • Law enforcement officials are contacted.
- 38 • The incident is reported, and recommendations are made to the Director of Schools.

- If the student's placement is to be changed, adequate notice of the charges shall be given to the student and his/her parent(s)/guardian(s) and his/her right to appear at a hearing.

Disciplinary Options (not an exclusive listing)

- Other hearing authority or Board action which results in appropriate placement
- Long-term out-of-school suspension
- Expulsion up to one (1) year
- Alternative schools
- Other hearing authority or Board action which results in appropriate placement

MISBEHAVIORS: LEVEL V (ZERO TOLERANCE OFFENSES)

The below offenses have been deemed zero tolerance offenses under state law and by Board Policy. Except offenses deemed reasoned judgment offenses, notated with an asterisk, the below offenses shall result in an expulsion for a period of not less than one (1) calendar year, subject to modification by the Director of Schools on a case-by-case basis.⁸ Reasoned judgment offenses allow the principal to take into consideration intent and other factors to determine the appropriate level of discipline. For additional information, see Board Policy 6.309.

- Unlawfully using or being under the influence of any narcotic or stimulant drug, prescription drug, or any other controlled substance, controlled substance analogue, or legend drug⁹
- Possessing unlawfully any narcotic or stimulant drug, prescription drug, or any other controlled substance, controlled substance analogue, or legend drug⁹
- Sale/distribution/transfer of any narcotic or stimulant drug, prescription drug or any other controlled substance, controlled substance analogue, or legend drug⁹
- Possession of a firearm¹⁰
- Assault that results in bodily injury¹¹ upon any teacher, principal, administrator, any other employee of the school, or a school resource officer
- Aggravated assault¹²
- Bomb threat
- Threat of mass violence on school property or at a school-related activity¹³
- Possession of substances or devices deemed to be explosives by law enforcement
- Students charged with committing an on-campus violent felony listed in Board Policy 6.309
- Possession/use/transfer of dangerous weapons other than firearms.*
- Possession/use/transfer of other instruments and substances with the intent to do harm to self or others or in a manner that renders the item dangerous.*

Disciplinary Procedures

- The principal confers with appropriate staff members and with the student.
- The principal hears the accusations and allows the student the opportunity to explain his/her conduct.

- 1 • The parent(s)/guardian(s) are notified.
- 2 • Law enforcement officials are contacted.¹³
- 3 • The incident is reported, and recommendations are made to the Director of Schools.
- 4 • If the student's placement is to be changed, adequate notice of the charges shall be
- 5 given to the student and his/her parent(s)/guardian(s) and his/her right to appear at a
- 6 hearing.

7 *Disciplinary Options*

- 8 • For zero tolerance offenses, expulsion for no less than one (1) year. Student may make
- 9 application for modification to the Director of Schools.
- 10 • For reasoned judgement offenses marked with an asterisk:
 - 11 ○ Suspension
 - 12 ○ Remandment
 - 13 ○ Expulsion up to one (1) year, with ability to apply for modification.

14 **ADDITIONAL GUIDELINES:**

- 15 1. A student shall not be suspended solely because charges are pending against him/her in
- 16 juvenile or other court, unless the charge is one identified in Policy 6.309 as a zero-tolerance
- 17 offense.
- 18 2. A principal shall not impose successive short-term suspensions that cumulatively exceed ten
- 19 (10) days for the same offense.
- 20 3. A teacher or other school official shall not reduce or authorize the reduction of a student's
- 21 grade because of discipline problems except in deportment or citizenship.
- 22 4. A student shall not be denied the passing of a course or grade promotion solely on the basis
- 23 of absences except as provided by Board Policy.
- 24 5. A student shall not be denied the passing of a course or grade promotion solely on the basis
- 25 of failure to:
 - 26 a. Pay any activity fee;
 - 27 b. Pay a library or other school fine; or
 - c. Make restitution for lost or damaged school property.

Legal References

1. TCA 49-6-4005
2. TCA 49-6-3024
3. TCA 49-6-2801
4. TCA 49-6-4002
5. TCA 49-6-4109
6. TCA 49-6-4009
7. TCA 49-6-4008
8. TCA 49-6-3401(g)(2); TCA 49-6-3402
9. TCA 39-17-454; TCA 53-10-101
10. 18 USCA § 921(a)(3); 20 USCA § 7961
11. TCA 39-13-101(a)(1)
12. TCA 39-13-102
13. TCA 49-6-4209; TCA 39-17-13-12; 20 USCA § 7961(h)(1); Public Acts of 2023, Chapter No. 299

Cross References

Traffic and Parking Controls 3.403
Procedural Due Process 6.302
Student Discrimination, Harassment, Bullying,
Cyber-bullying, and Intimidation 6.304
Title IX & Sexual Harassment 6.3041
Interference/Disruption of School Activities 6.306
Bus Safety and Conduct 6.308
Zero Tolerance Offenses 6.309
Dress Code 6.310
Corporal Punishment 6.314
Detention 6.315
Suspension 6.316
Safe Relocation of Students 6.4081

Rutherford County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Interrogations and Searches	Descriptor Code: 6.303	Issued Date: 05/04/21
		Rescinds: 6.303	Issued: 01/05/21

1 INTERROGATIONS BY SCHOOL PERSONNEL

2 If a student is suspected or accused of misconduct or infraction of the student code of conduct, the
3 principal may interrogate the student, without the presence of parent(s)/guardian(s) or legal custodians.

4 INTERROGATIONS BY POLICE AT ADMINISTRATOR'S REQUEST

5 If the principal has requested assistance by law enforcement to investigate a crime involving his/her
6 school, the police shall have permission to interrogate a student suspect in school during school hours.
7 The principal shall first attempt to notify the parent(s)/guardian(s) or legal custodians of the student of
8 the intended interrogation unless circumstances require otherwise. The interrogation may proceed
9 without attendance of the parent(s)/guardian(s) or legal custodians; however, the principal or his/her
10 designee shall be present during the interrogation unless required to leave by law enforcement.¹

11 POLICE-INITIATED INTERROGATIONS

12 If the police deem circumstances of sufficient urgency to interrogate students at school for unrelated
13 crimes committed outside of school hours, the police department shall first contact the principal
14 regarding the planned interrogation, inform him/her of the probable cause to investigate. The principal
15 shall make reasonable effort to notify the parent(s)/guardian(s) or legal custodians of the interrogation
16 unless circumstances require otherwise. The interrogation may proceed without attendance of the
17 parent(s)/guardian(s) or legal custodians. The principal or his/her designee shall be present during the
18 interrogation unless required to leave by law enforcement.¹

19 SEARCHES BY SCHOOL PERSONNEL^{1,2}

20 *General*

21 Staff have the duty to report to the principal any reasonable suspicion that a student is in possession of
22 or is carrying a dangerous weapon on school grounds or within any school building or is using or in
23 possession of drugs.

24 The principal has the duty to report any violations to the appropriate law enforcement officer.
25 Any dangerous weapon or drug discovered by the principal or other staff member in the course of a
26 search shall be turned over to the appropriate law enforcement officer for proper disposal.

1 *Searches of Students*

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

4 *Searches of Vehicles, Lockers, and Enclosures*

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

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

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

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

19 **USE OF ANIMALS**

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

23 **METAL DETECTORS**

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

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

1 Metal detectors shall be used at times as determined by the principal. Building administrators will be
2 present anytime the equipment is in use and will ensure that the equipment is being used appropriately.

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

Legal References

1. TCA 49-6-4203(b)
2. TCA 49-6-4201 *et seq.*; Tenn. Op. Att’y Gen. No. 14-21 (February 24, 2014)

Cross References

Procedural Due Process 6.302
Reporting Child Abuse 6.409

Rutherford County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Zero Tolerance Offenses	Descriptor Code: 6.309	Issued Date: 03/08/23
		Rescinds: 6.309	Issued: 05/04/21

1 ZERO TOLERANCE OFFENSES¹

2 State law and/or the Rutherford County Board of Education has classified certain offenses as requiring
3 a mandatory minimum of one (1) calendar year suspension upon a determination by the Principal that a
4 student has committed one (1) of these offenses, commonly referred to as zero tolerance offenses.
5 These offenses are threats to the health and safety of staff and students and intolerably disruptive to the
6 educational process. The following are offenses that automatically result in a suspension of not less
7 than one (1) calendar year, except as otherwise prohibited by federal law for students with disabilities.
8 On a case-by-case basis, the Director of Schools may modify the suspension through a request for
9 modification:

- 10 1. **DRUGS.**² Students shall not unlawfully possess, handle, transmit, use, be under the
11 influence of, share, or sell any drugs, or any controlled substances, on school grounds, at
12 school-sponsored events, or on school buses. “Drug” means any controlled substance,
13 controlled substance analogue, marijuana, legend drug or any other substance whose
14 possession or use is regulated in any manner by any governmental authority. Exception:
15 Use of tobacco products is not a zero tolerance offense. See Board Policy 1.803
16 (Tobacco/Free Schools).
- 17 2. **FIREARMS.**³ Students shall not possess, handle, transmit, use, or attempt to use firearms
18 on school grounds, at school-sponsored events, or on school buses. This zero tolerance
19 policy applies irrespective of whether the firearm is loaded or unloaded.
- 20 3. **ASSAULT OF EMPLOYEE/SRO.** Students shall not commit aggravated assault⁴ or
21 assault that results in bodily injury upon any teacher, principal, administrator, any other
22 employee of the school, or school resource officer.⁴
- 23 4. **THREATS OF MASS VIOLENCE.** Students shall not make threats of mass violence on
24 school property or at a school-related activity.⁵
- 25 5. **BOMB THREATS.** Students shall not make, aid, or encourage the making of a bomb
26 threat or bomb threat hoax.
- 27 6. **POSSESSION OF EXPLOSIVES.** Any student found in possession of any destructive
28 device, which includes any explosive, incendiary device or poison gas, including bombs,
29 grenades, rockets, missiles, mines or similar devices shall be subject to the zero tolerance
30 policy. Possession of fireworks altered or modified to constitute an explosive may be
31 considered a zero tolerance offense only if the altered fireworks are identified as an
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1 explosive by law enforcement officials. For general possession of fireworks not deemed an
2 explosive by law enforcement, see Board Policy 6.300.

3
4 **7. ON-CAMPUS FELONIES.**⁶ Any student who commits any of the following felonies on
5 school grounds, at school-sponsored events, or on school buses and is subsequently charged
6 with said felony will be subject to the zero tolerance policy. These crimes inherently create
7 a serious risk to the health and safety of staff and students, and extraordinarily disrupt the
8 educational process. Off-Campus criminal behavior is addressed in Board Policy 6.300:

- 9
10 a. Rape (including aggravated)
11 b. Murder (including attempted)
12 c. Robbery (including aggravated or especially aggravated)
13 d. Kidnapping (including aggravated)
14 e. Aggravated Assault (Student does not have to be charged to be a zero tolerance if
15 elements of TCA 39-13-102 met)
16 f. Felony Reckless Endangerment
17 g. Sexual Battery (including aggravated)
18 h. Carjacking

19 **REASONED JUDGMENT OFFENSES**

20 State law and the Rutherford County Board of Education has identified other zero tolerance offenses
21 that, depending on the individual circumstances, may warrant a reasoned judgment by the Principal in
22 assigning discipline. These offenses may result in suspension, remandment, or expulsion up to one (1)
23 year. Students subject to expulsion may apply for modification to the Director of Schools utilizing the
24 same process as zero tolerance offenses listed above:

- 25 **1. WEAPONS OTHER THAN FIREARMS.** State law allows the school administrator to
26 use reasoned judgment when determining the punishment for the possession, use, handling
27 and/or transmission of items that may be classified as weapons other than firearms. The
28 definition of a weapon is broad since any object that could be used to inflict harm or injury
29 to another falls into that category. In determining punishment, the Principal will consider
30 the object determined to be the weapon, the circumstances surrounding the incident, and the
31 intent of the student charged with the weapons offense when making his/her decision. The
32 Principal may assign punishment, including remandment or suspension up to one (1)
33 calendar year based on these considerations. If a student is suspended for the maximum
34 time of one (1) year, the student and/or his/her parent/guardians may make application for
35 modification to the Director of Schools.
- 36
37 **2. OTHER INSTRUMENTS AND SUBSTANCES.** Students are further forbidden to be in
38 possession of or use any instruments or substances, including but not limited to
39 nonprescription drugs, chemicals, inhalants, pencils, scissors, razors or compasses, with the
40 intent to do harm to self or others or in a manner which renders the item dangerous in
41 school buildings or on school grounds, or on any grounds used for school purposes at any

1 time, or in school vehicles and/or buses or off the school grounds at a school-sponsored
2 activity, function or event.

3

4 **NOTIFICATION**

5 When it is determined that a student has violated this policy, the principal of the school shall notify the
6 student's parent(s)/guardian(s) and the criminal justice or juvenile delinquency system as required by
7 law.⁷

Legal References

1. TCA 49-6-3401(g); TCA 39-17-1309; TCA 49-6-4209; 18 USC 921
2. TCA 49-6-4202; TCA 53-10-101
3. 18 USC 921
4. TCA 49-6-3401(g)(1)(B)
5. Public Acts of 2023, Chapter No. 299
6. TCA 49-6-3401(a)(14)
7. TCA 49-6-4209; TCA 39-17-1312; 20 USCA § 7961(h)(1)

Cross References

- Drug-Free Schools 6.307
- Discipline Procedures 6.313
- Suspension/Expulsion/Remand 6.316

Rutherford County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Alternative Education	Descriptor Code: 6.319	Issued Date: 03/08/23
		Rescinds: 6.319	Issued: 09/03/20

1 *General*¹

2 The Board shall operate an alternative school and/or program for students in grades seven through
3 twelve (7-12) who have been suspended or expelled from the regular school program. Additional
4 grades may also be served at the election of the Board.

5 An alternative school is a short-term intervention program designed to provide educational services
6 outside the regular school program for students who have been suspended or expelled. The alternative
7 school is located in a separate facility from the regular school program.

8 An alternative program is a short-term intervention program designed to provide educational services
9 outside the regular school program for students who have been suspended or expelled. Alternative
10 programs may be located within the regular school or be a self-contained program within a school.
11 Alternative programs shall include, but are not limited to, the following: in-school suspension, night
12 school, Saturday school, school-specific programs, etc.

13 The alternative school and/or program shall be operated in accordance with state laws and the rules of
14 the State Board of Education, and instruction shall proceed as nearly as practicable in accordance with
15 the instructional program at the student's regular school. The Director of Schools shall develop
16 procedures that provide appropriate educational opportunities for all students assigned to the
17 alternative school or program. These educational opportunities shall adhere to Tennessee's academic
18 standards.²

19 **ASSIGNMENT**

20 Students who have been suspended for more than ten (10) days or expelled shall be assigned to the
21 alternative school or program if there is staff and space available.³ Availability of staff and space shall
22 be determined at the time the disciplinary decision is rendered. The Director of Schools/designee shall
23 make this determination by evaluating factors including, but not limited to, the following:

- 24 1. Level of supervision available;
- 25
- 26 2. Safety considerations; and
- 27
- 28 3. Type of infraction.
- 29

1 The Director of Schools/designee is not required to assign a student to the alternative school or program
2 if the student committed one of the following:

- 3 1. A zero tolerance offense;⁴ or
- 4
- 5 2. An offense of violence or threatened violence, or an offense that threatened the safety of other
6 students at the school, if the location of the alternative school or program is on the same grounds
7 as the school from which the student was disciplined or assigning the student to that location
8 would endanger the safety of the students or staff.⁵

9 **Consideration to assign these students to the alternative school or program will be determined by the**
10 **Director of Schools/designee on a case-by-case basis.**

11 Prior to the assignment of the student to the alternative school or program, the Director of
12 Schools/designee shall provide written notice to the student's parent/guardian stating the reason for the
13 student's placement.

14 Placement in an alternative education setting shall be reserved for students who significantly disrupt
15 the educational process. If a student has an active Individualized Education Plan, a 504 plan, or is
16 suspected of having a disability, all state and federal laws and rules and regulations related to special
17 education shall be followed. The Director of Schools/designee shall develop procedures regarding
18 placement of students in the program, taking into consideration the impact of exclusionary discipline
19 practices.⁶

20 The Director of Schools/designee shall monitor and regularly evaluate the academic progress of each
21 student enrolled in the alternative school.

22 **REMOVAL⁷**

23 A student may be removed from the alternative school or program if:

- 24 1. He/she violates the rules of the alternative school or program; or
- 25
- 26 2. He/she is not benefitting from the assignment and all interventions have been exhausted
27 unsuccessfully.

28 **ADDITIONAL OFFENSES⁸**

29 Any new disciplinary offense committed during a student's original suspension or expulsion period
30 shall be treated as a new and separate offense. These offenses shall not constitute an extension of the
31 original suspension or expulsion.

32 **TRANSITION PLAN⁹**

33 The Director of Schools/designee shall develop procedures regarding the implementation of transition
34 plans for the integration of students assigned to the alternative school.

35

1

2

Legal References

1. TCA 49-6-3402(a); TRR/MS 0520-01-02-.09
2. TRR/MS 0520-01-02-.09(9)(a)
3. TCA 49-6-3402(c)(1)(A)
4. TCA 49-6-3402(c)(1)(B); TRR/MS 0520-01-02-.09(6)(a)
5. TRR/MS 0520-01-02-.09(9)(i); Public Acts of 2023, Chapter no. 279
6. TRR/MS 0520-01-02-.09(9)(h)
7. TCA 49-6-3402(c)(2)(B)
8. TRR/MS 0520-01-02-.09(9)(g)(2)
9. TRR/MS 0520-01-02-.09(m)

Cross References

Special Education 4.202
Suspension 6.316
Student Disciplinary Hearing Authority 6.317
Special Education Students 6.500

Rutherford County Board of Education

Monitoring: Review: Annually, in May	Descriptor Term: Student Surveys, Analyses, and Evaluations	Descriptor Code: 6.4001	Issued Date: 08/13/15
		Rescinds: 6.4001	Issued: 06/05/14

1 Surveys, analyses, and evaluations for research purposes shall be allowed by the Board when the
2 project is viewed as contributory to a greater understanding of the teaching-learning process, the
3 project does not violate the goals of the Board, and the disruption of the regular school program is
4 minimal. The director of schools shall develop administrative procedures for approving requests for
5 conducting surveys, analyses, or evaluations by agencies, organizations or individuals. The requests
6 shall outline what is to be done, who is to be involved and how the results will be used and
7 distributed.¹

8 Prior to the dissemination of a survey, analysis, or evaluation to students, parents/guardians shall be
9 notified of their ability to review the materials.¹ Such notification shall include information indicating
10 the purpose of the survey, analysis, or evaluation as well as who will have access to the results.
11 ~~Following such notification and prior to the administration of the survey, analysis, or evaluation,~~
12 ~~parents/guardians may opt their child out of participation.~~ The survey, analysis, or evaluation shall
13 only be administered to students under the age of eighteen (18) whose parent(s)/guardian(s) provide
14 written, informed, and voluntarily signed consent. A student who is eighteen (18) years of age or older
15 may participate after he/she provides written, informed, and voluntarily signed consent. The Director
16 of Schools shall develop procedures for granting such parental requests and to implement the other
17 provisions of this policy.⁵

18 No student shall be required, as part of any program, to submit to a survey, analysis or evaluation that
19 reveals information concerning: ^{2,5}

- 20 1. Mental or physiological problems of the student or the student's family;
- 21 2. Sexual behaviors or attitudes;
- 22 3. Illegal, anti-social, self-incriminating, or demeaning behavior;
- 23 4. Critical appraisals of other individuals with whom respondents have close family relationships;
- 24 5. Legally privileged relationships;
- 25 6. Income; or
- 26 7. the collection of student biometric data involving the analysis of facial expressions, EEG brain
27 wave patterns, skin conductance, galvanic skin response, heart-rate variability, pulse, blood
28 volume, posture, and eye tracking.

29 without the prior consent of the student (if the student is an adult or emancipated minor), or in the case
30 of an unemancipated minor, without the prior consent of the parent.⁵

31 The collection of the following student data is strictly prohibited:

- 32 1. Political affiliation or voting history;

- 1 2. Religious practices; and
- 2 3. Firearm ownership.

3

4 **COLLECTING, DISCLOSING OR USING INFORMATION FOR MARKETING**³

5 In general, the district will not collect, disclose or use personal student information for the purpose of
6 marketing or selling that information or otherwise providing that information to others for that
7 purpose.

8 If any collected information is to be marketed or sold, parents will be directly notified at least annually
9 at the beginning of the school year of the specific or approximate dates when such information will be
10 collected. Parents, upon request, may inspect any instrument used to collect personal information for
11 the purpose of marketing or selling that information before the instrument is administered or
12 distributed to the student. All parents and students of appropriate age may decline to provide the
13 information requested.

14 This portion of the policy does not apply to the collection, disclosure or use of personal information
15 collected from students for the exclusive purpose of developing, evaluating or providing educational
16 products or services for or to students or educational institutions to the extent allowed by law, such as
17 the following:⁴

- 18 1. College or other postsecondary education recruitment or military recruitment.
- 19 2. Book clubs, magazines and programs providing access to low-cost literary products.
- 20 3. Tests and assessments used by elementary schools and secondary schools to provide
21 cognitive, evaluative, diagnostic, clinical, aptitude or achievement information about students
22 (or to generate other statistically useful data for the purpose of securing such tests and
23 assessments) and the subsequent analysis and public release of the aggregate data from such
24 tests and assessments.
- 25 4. The sale by students of products or services to raise funds for school-related or education
26 related activities.
- 27 5. Student recognition programs.

Legal References

1. TCA 49-2-211
2. 20 USCA § 1232h
3. No Child Left Behind, Part F § 1061 (1)(E) & (F) & (2)
4. No Child Left Behind, Part F § 1061 (4)(A)
5. TCA 49-2-211

Cross References

Testing Programs 4.700

Rutherford County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Physical Examinations and Immunizations	Descriptor Code: 6.402	Issued Date: 07/22/21
		Rescinds: 6.402	Issued: 01/05/21

1 PHYSICAL EXAMINATIONS¹

2 The principal shall ensure that there is a complete physical examination of each student prior to:²

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

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

13
14 Screening tests as required by the Tennessee Department of Education and the Department of Health
15 will be conducted. Parent(s)/guardian(s) will receive written notice of any screening result that indicates
16 a condition that might interfere with the student's progress. ~~The school district will not conduct physical~~
17 ~~examinations of a student without parental consent or by court order, unless the health or safety of the~~
18 ~~student or others is in question.~~³ Parent(s)/guardian(s) may excuse their student from participating in
19 health screenings that are part of a coordinated school health program by submitting a request in writing
20 to the school nurse, instructor, school counselor, or principal.³

21 IMMUNIZATIONS

22 No students entering school, including those entering kindergarten or first grade, those from out-of-state
23 and those from nonpublic schools, will be permitted to enroll (or attend) without proof of immunization,
24 as determined by the Commissioner of Health unless circumstances outlined in state or federal law
25 prevent a student from producing such records. It is the responsibility of the parents or guardians to have
26 their children immunized and to provide such proof to the principal of the school which the student is to
27 attend.⁴

28 Exceptions will be granted to any child whose parent or guardian shall file with school authorities a
29 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*⁵; 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.⁶

6 ~~*Regardless of epidemic or pandemic status, religious exemptions related to vaccinations for COVID-~~
7 ~~19 or any variants will be accepted by RCS in compliance with state law, if RCS ever required such a~~
8 ~~vaccine.⁵~~

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

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

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

Legal References

1. 20 USCA § 1232h(c)
2. TRR/MS 0520-1-13-.01(1)(a)
3. Public Acts of 2023, Chapter No. 353; Tennessee School Health Screening Guidelines,
https://www.tn.gov/content/dam/tn/education/csh/csh_school_health_screening_guidelines.pdf
; 20 USCA § 1232h(c)(2)(C)
4. TCA 49-6-5001(a),(c)
5. TCA 49-6-5001(b)(2), Public Acts of 2021, Chapter No. 513
6. TCA 49-6-5001(c)(2)

Rutherford County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Medicines	Descriptor Code: 6.405	Issued Date: 07/07/22
		Rescinds: 6.405	Issued: 06/07/18

1 If under exceptional circumstances a child is required to take non-prescription or prescription medication
2 during school hours and the parent/guardian cannot be at school to administer the medication, only the
3 principal/designee will assist in self-administration of the medication if the student is competent to self-
4 administer medicine with assistance in compliance with the following regulations.¹

5 Written instructions signed by the parent/guardian will be required and will include:

- 6 1. Child's name;
- 7 2. Name of medication;
- 8 3. Name of physician;
- 9 4. Time to be self-administered;
- 10 5. Dosage and directions for self-administration (non-prescription medicines must have label
11 direction);
- 12 6. Possible side effects, if known; and
- 13 7. Termination date for self-administration of the medication.

14 The medication must be delivered to the principal's office in person by the parent/guardian of the student
15 or the parent's adult designee listed on the emergency contact list for the student unless the medication
16 must be retained by the student for immediate self-administration (i.e. students with asthma).

17
18 **Students fifteen (15) years of age or older shall be allowed to keep their prescription medication in their**
19 **personal vehicle for the purpose of taking medication after school hours and off school property. A**
20 **written consent form signed by a parent/guardian will be required and will include:**

- 21 1. **Child's name;**
- 22 2. **Name of medication;**
- 23 3. **Name of physician;**
- 24 4. **Time to be self-administered;**
- 25 5. **Dosage and directions for self-administration (non-prescription medicines must have label**
26 **direction);**
- 27 6. **Possible side effects, if known; and**
- 28 7. **Termination date for self-administration of the medication.**

29 Volunteer personnel, trained by a registered nurse, may administer glucagon in emergency situations to
30 a student based on that student's Individual Health Plan (IHP).

31 The administrator/designee will:

- 32 1. Inform appropriate school personnel of the medication to be self-administered;

- 1 2. Keep written instructions from parent/guardian in student's record;
- 2 3. Keep an accurate record of the self-administration of the medication;
- 3 4. Keep all medication in a locked cabinet except medication retained by a student per physician's
- 4 order;
- 5 5. Return unused prescription to the parent/guardian only; and
- 6 6. Ensure that all guidelines developed by the Department of Health and the Department of
- 7 Education are followed.

8 The parent/guardian is responsible for informing the designated official of any change in the student's
9 health or change in medication.

10 A copy of this policy shall be provided to a parent/guardian upon receipt of a request for long-term
11 administration of medication.

12 **BLOOD GLUCOSE SELF-CHECKS²**

13 Upon written request of a parent/guardian, and if included in the student's medical management plan and
14 in the Individualized Healthcare Plan (IHP), a student with diabetes shall be permitted to perform a blood
15 glucose check or administer insulin using any necessary diabetes monitoring and treatment supplies,
16 including sharps. The student shall be permitted to perform the testing in any area of the school or school
17 grounds at any time necessary.

18 Sharps shall be stored in a secure, but accessible location, including the student's person, until use of
19 such sharps is appropriate.

20 Use and disposal of sharps shall be in compliance with the guidelines set forth by the Tennessee
21 Occupational Safety and Health Administration (TOSHA).³

22 **STUDENTS WITH PANCREATIC INSUFFICIENCY OR CYSTIC FIBROSIS⁴**

23 Students diagnosed with pancreatic insufficiency or cystic fibrosis shall be permitted to self-manage
24 their prescribed medication in a manner directed by a licensed healthcare provider without additional
25 assistance or direction. The Director of Schools shall develop procedures for the development of an
26 IHP for every student that wishes to self-administer.

27 **STUDENTS WITH ADRENAL INSUFFICIENCY⁵**

28 The parent/guardian of a student diagnosed with adrenal insufficiency shall notify the school district of
29 the student's diagnosis. Once notified, the district shall observe the following procedure:

- 30 1. The district shall train school personnel who will be responsible for administering the
31 medication for the treatment of adrenal insufficiency and any who volunteer to administer the
32 medication.

33

- 1 2. The district shall maintain a record of all school personnel who have completed this training.
- 2
- 3 3. If a student is suffering from an adrenal crisis, a school nurse or other licensed health care
- 4 professional may administer the prescribed medication to the student. If a school nurse or other
- 5 licensed health care professional is not immediately available, trained school personnel may
- 6 administer the prescribed medication.

- 7 The Director of Schools shall develop procedures on the administration of medications that treat
- 8 adrenal insufficiency and recordkeeping per rules set forth by the State Board of Education.

Legal References

1. TCA 49-50-1602 *et seq.*; TRR/MS 0520-01-13-.03
2. TCA 49-50-1602(d)(7)
3. State Board of Education Policy 4.205; TRR/MS 0800-01-10
4. TCA 49-50-1601
5. TRR/MS 0520-01-13-.04; State Board of Education Policy 4.205

Cross References

Promoting Student Welfare 6.400
Emergency Allergy Response Plan 6.412