

**Policy Committee Meeting**  
**May 10, 2023 4:30 PM**  
Central Services Board Room

1. Call to Order - Ms. Rebecca Hamby
2. Moment of Silence / Pledge of Allegiance - Ms. Rebecca Hamby
3. Approval of Committee Minutes
4. District Recommendation Policies
5. Review Only Policies
6. Other Discussion
7. Adjournment

**(\* Indicates Board Approval Required)**

**Board of Education**  
**April 5, 2023 4:00 PM**  
Central Services Board Room

The Policy Committee met on Wednesday, April 5, 2023, in the Central Services Board Room where Ms. Rebecca Hamby called the meeting to order at the approximate hour of 4:04 p.m. She welcomed everyone to the meeting and appreciated everyone for attending.

**BOARD MEMBERS:**

Teresa Boston:	Absent
Mr. Nick Davis:	Absent
Ms. Anita Hale:	Absent
Mrs. Rebecca Hamby:	Present
Mr. Chris King:	Absent
Ms. Sheri Nichols:	Present
Robert Safdie:	Absent
Billy Stepp:	Present
Ms. Shannon Stout:	Present
Ms. Elizabeth Stull:	Present

**OTHERS PRESENT:**

Earl Patton, Board Attorney  
Chris King  
Robert Safdie  
Mo Charnot, Media

1. **Call to Order** - Ms. Rebecca Hamby
2. **Moment of Silence / Pledge of Allegiance** - Ms. Rebecca Hamby
3. **Approval of Committee Minutes**-Ms. Hamby made a motion to accept minutes from the last meeting. Stout with the second.

Motion to approve Policy Committee Minutes from last meeting.

**VOICE VOTE:** (mover-yes) Hamby

(seconder-yes) Stout

Yes: 4, No: 0 Hamby: Yes,  
Nichols: Yes, Stout: Yes, Stull:  
Yes

**MOTION: Motion Passed**

- 4. Policy 5.613 Employee Social Media-New Policy for Adoption-Hamby** introduced policy 5.613 Social Media Policy. She said she had spoken with Atty Patton and was making a motion to table this policy until it is further reviewed. Patton said he thinks a policy like this is a good idea, but he feels like more time needs to be given to it as he's only seen it for about 2 days now. Hamby said this was to be implemented in our district, since we don't currently have this policy. Stull seconded the motion to table until further review.

Motion to table this policy until further review.

**VOICE VOTE:** (mover-yes) Hamby

(seconder-yes) Stull

Yes:4, No: 0Hamby: Yes,  
Nichols: Yes, Stout: Yes,  
Stull: Yes

**MOTION: Motion Passed**

- 5. Policy 1.1062 Non-Retaliation District Recommendation Policies-Hamby** told everyone that this policy was brought before the committee with district recommendations with minimal changes. Stout made a motion to accept district recommendations. Stull with the second.

Motion to accept district recommendations.

**VOICE VOTE:** (mover-yes) Stout

(seconder-yes) Stull

Yes: 4, No: 0Hamby: Yes,  
Nichols: Yes, Stout: Yes,  
Stull: Yes

**MOTION: Motion Passed**

- 6. Review Only Policies-Hamby** told everyone that these were only review policies and changes were only made with supervisor name changes. Policy 6.300 did not have the proper changes made, so this

one will go back to the policy committee at the next meeting. Stull questioned if policies needed supervisor's names in them, since they can change frequently. Stepp told her that it was common to have the current names in the policies. Patton said, from a legal standpoint, there was no reason for it to be in there, but it was probably for purposes of helping anyone who needed to know who was holding that position in the district. Hamby said they could be brought back to the committee and looked at later. Hamby made a motion to approve these and send to full board to the consent agenda. Stull with the second.

Motion to send review only policies to full board on consent agenda.

**VOICE VOTE:** (mover-yes) Hamby  
  
(seconder-yes) Stull  
  
Yes: 4, No: 0 Hamby: Yes,  
Nichols: Yes, Stout: Yes,  
Stull: Yes

**MOTION: Motion Passed**

**7. Other Discussion**

8. **Adjournment**-The meeting was adjourned at approximately 4:17pm.

Motion to adjourn.

**VOICE VOTE:** (mover-yes) Stout  
  
(seconder-yes) Stull  
  
Yes:4, No: 0 Hamby: Yes,  
Nichols: Yes, Stout: Yes,  
Stull: Yes

**MOTION: Motion Passed**

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**William Stepp**  
**Director of Schools**

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**Ms. Rebecca Hamby**  
**Chairman of the Policy Committee**

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**Diane McCartney**  
**Executive Assistant for the Director of Schools and BOE**

**(\* Indicates Board Approval Required)**

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in November</b>	Descriptor Term: <h2 style="text-align: center;">Extracurricular Activities</h2>	Descriptor Code: <b>4.300</b>	Issued Date: <b>09/22/22</b>
		Rescinds: <b>4.300</b>	Issued: <b>02/23/17</b>

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

- 2 1. The Board shall initially approve each specific extracurricular activity so that proper support  
3 and supervision may be assured.  
4
- 5 2. The principal, after obtaining the recommendation of the faculty and the director of schools,  
6 shall determine which clubs and organizations will be permitted.  
7
- 8 3. Each student activity must be under the guidance and direction of a Cumberland County  
9 school employee, who must be present at all times, to include on-board student  
10 transportation. [Level III approved volunteers do not have to have a school employee present.](#)  
11
- 12 4. All student activities must have the approval of the principal.  
13
- 14 5. Student activities occurring before or after regularly scheduled school hours must be under  
15 the supervision of the principal or his/her designee.  
16
- 17 6. Secret organizations shall not be operated in any school.  
18
- 19 7. A student shall not be required to attend a school-sponsored student activity that is scheduled  
20 at a time, which conflicts with his religious practices.<sup>1</sup>  
21
- 22 8. School-sponsored student activities during vacation periods shall be restricted to regularly  
23 scheduled athletic programs and major events, which cannot be scheduled otherwise.  
24
- 25 9. Student groups shall not participate in state or national activities, which are not listed as,  
26 approved activities by regional accrediting associations or state and national principals'  
27 associations without the approval of the director of schools.  
28
- 29 10. A student on in-school or out-of-school suspension shall not be permitted to participate in  
30 school-sponsored activities.  
31
- 32 11. Activities, which restrict participation because of race, color, religion, sex, disabilities, or  
33 national origin, are forbidden.<sup>2</sup>  
34
- 35 12. Activities sponsored by outside groups or agents will be approved only if they are co-  
36 sponsored by the school.

- 1
- 2 13. Students must have attended school at least one-half day to participate in extracurricular
- 3 activities on any given day.

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Legal References

1. TCA 49-6-1002(c)
2. 34 CFR § 106.41

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Cross References

Special Use of School Vehicles 3.402  
Interscholastic Athletics 4.301  
Field Trips/Excursions/Competitions 4.302  
Attendance 6.200

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in January</b>	Descriptor Term: <b>Compensation Guides &amp; Contracts</b>	Descriptor Code: <b>5.110</b>	Issued Date: <b>04/27/23</b>
		Rescinds: <b>5.110</b>	Issued: <b>07/26/18</b>

1 Certified personnel must enter into written contract with the Board at a fixed annual salary per month  
2 before commencing their duties.<sup>1</sup>

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.<sup>2</sup>

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

8 Contracts for professional personnel shall include two-hundred (200) days of responsibility, plus twenty  
9 (20) days for each additional month assigned by the Board. Each contract shall provide:<sup>3</sup>

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

15 The school calendar adopted by the Board each year shall become part of each employee's contract.  
16 Salaries and supplements may be paid from revenue derived from sources other than taxes, provided the  
17 revenue is deposited with and salaries paid through the Board. This includes donations or contributions  
18 from individual, civic or other non-school related sources of funds from individual school activity funds,  
19 such as gate receipts and concessions.<sup>1,4</sup>

20 Non-certified personnel are at will employees and are compensated per Board approved pay scales that  
21 are based on respective job description, hours worked, and days worked. These scales have pre-  
22 designated incremental increases based on years of service. The employee's years of service, to the Board  
23 of Education, are maintained when an employee moves between job categories. All support personnel  
24 pay scales are capped at twenty-six (26) years of service.

25 The Board will recognize 100% 50% of the same job experience ~~not to exceed five (5) years~~. The burden of  
26 experience rests with the individual. Verification must be submitted within 30 days of date of hire to be  
27 considered for advancement on the pay scale.

28 Former employees rehired in the same position will resume at the same years' experience as when they  
29 left employment.<sup>2</sup>

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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)

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Cross References

- School Calendar 1.800
- Revenues 2.400
- Payroll Procedures 2.802
- Salary Deductions 2.803

# Cumberland County Board of Education

Monitoring: <b>Date Last Reviewed: 04/08/04</b>	Descriptor Term: <b>Drug &amp; Alcohol Testing for Employees</b>	Descriptor Code: <b>5.403</b>	Issued Date: <b>04/08/04</b>
		Rescinds: <b>5.403</b>	Issued: <b>10/03/02</b>

## REASONABLE SUSPICION DRUG TESTING

Trained supervisors have the responsibility to observe and document the cause for reasonable suspicion and when appropriate, refer the matter to the Director of Schools/designee. It is not the supervisor's responsibility to attempt diagnosis. All information, facts and circumstances leading to and supporting this suspicion should be included in a written report detailing the basis for the suspicion. After the report is filed, the employee should be notified.

Any employee may be required to submit to substance screening if the following conditions exist: (list is not inclusive)

1. Observed use, possession or sale of illegal drugs and/or use, possession, sale, or abuse of alcohol and/or prescription drugs.
2. Apparent physical state of impairment of motor functions.
3. Marked changes in personal behavior not attributed to other factors.
4. Employee involvement in or contribution to an accident where the use of alcohol or drugs is reasonably suspected or employee involvement in a pattern of repetitive accidents whether or not they involve actual or potential injury.
5. Violation of criminal statutes involving the use of illegal drugs, alcohol or prescription drugs and/or violations of drug statutes.

## TESTING FOR CDL EMPLOYEES

All drivers and applicants for driver positions who are required to hold a Commercial Driver's License (CDL) to perform their job function must adhere to the requirements of this policy and all procedures relating to this policy.<sup>1</sup>

The use, possession, sale, purchase or transfer of any controlled substances except medically prescribed drugs on school property, while on school business or while operating school vehicles and equipment is prohibited. Drinking alcoholic beverages during working hours, four (4) hours before reporting to work or having any measurable amount of alcohol in his/her system during working hours is prohibited, whether on or off school property. Working hours include all breaks. Off-duty use of drugs and alcohol is prohibited to the extent that it affects driver's attendance or performance and his/her ability to pass

1 required DOT alcohol and controlled substance tests. Any violation of this policy is grounds for  
2 termination as employee of the Board and possible legal prosecution.

3 The use of any prescription drug that could affect the central nervous system or one that would impair  
4 reaction time shall be reported to the Director of Schools/~~Director of~~ Transportation **Supervisor**. Notice  
5 shall be given of non-prescription (over-the-counter) drugs being taken on a regular basis. The notice  
6 shall include the duration of ingestion and the possible side effects.

## 7 **Procedures**

8 The execution and enforcement of this policy will follow set procedures to screen bodily fluids, conduct  
9 breath testing, and/or search all employee/applicants for alcohol and drug use, and those employees  
10 suspected of violating this policy who are involved in a reportable accident or who are periodically or  
11 randomly selected. The procedures are designed not only to detect violations of this policy, but also to  
12 ensure fairness to each employee. Disciplinary action will be taken as necessary.

## 13 **Implementation**

14 The Director of Schools/~~director of~~ Transportation **Supervisor** is authorized to implement this policy and  
15 procedures for the drug testing program, including a periodic review of the program to address any  
16 problems, changes and/or revisions of it, maintenance of all records required by the federal regulations,  
17 and determination upon Board approval of how the program will be accomplished, whether in-house,  
18 contracted or by consortium.

## 19 **Dissemination**

20 The Director of Schools/~~director of~~ Transportation **Supervisor** shall be responsible for communicating  
21 this policy and the procedures to all employees affected by this policy and shall be accountable for its  
22 consistent enforcement.<sup>2</sup> The Director of Schools/~~director of~~ Transportation **Supervisor** is designated to  
23 answer questions about this policy, procedures and all other matters involved in alcohol and controlled  
24 substance testing of CDL drivers and the reasonable suspicion testing of all other employees.

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### Legal References:

1. 49 U.S.C. § 2717, Alcohol and Controlled Substances Testing (Omnibus Transportation Employee Testing Act of 1991).
2. 49 CFR §382.601

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Substitute Teachers</b>	Descriptor Code: <b>5.701</b>	Issued Date: <b>09/22/22</b>
		Rescinds: <b>5.701</b>	Issued: <b>03/17/22</b>

1 Substitute teachers are those teachers used to replace teachers on leave or to fill temporary vacancies until  
2 a licensed teacher is available.<sup>1,2</sup> Substitute teachers may be employed and paid directly by the Board or  
3 by a third-party employer through an agreement between such third-party employer and the Board.

4 Substitute teachers employed by third-party entities shall be subject to the same unemployment benefit  
5 eligibility conditions as substitute teachers employed directly by the Board.<sup>2</sup>

## 6 APPLICATION/QUALIFICATIONS

7 Criminal history record checks, fingerprinting, and pre-employment drug screen of applicants for  
8 substitute teaching are required.<sup>3</sup>

9 Applicants with revoked licenses or certificates according to the Department of Education shall not be  
10 hired.<sup>4</sup>

11 Qualifications for substitute teachers shall be determined by the Director of Schools in compliance with  
12 board policy, state, laws, and State Board of Education rules and regulations.

13 A list of substitute teacher(s) will be prepared by the Human Resource Director, who will maintain file(s)  
14 which may include transcripts, credentials, recommendations, and other pertinent information.

## 15 COMPENSATION

16 If employed directly by the district, the compensation of substitute teachers shall be determined  
17 annually by the Board.

18 Retired teachers serving as substitutes who do not have an active teaching license shall be paid the  
19 same as a retired substitute teacher with an active teaching license. This only applies to teachers who  
20 retired after July 1, 2011, through July 1, 2016.<sup>5</sup>

## 21 CERTIFICATION

22 When substituting for a regular teacher who has been absent for twenty (20) consecutive days, a  
23 substitute teacher shall possess a teaching certificate with endorsement in the discipline(s) to be taught or  
24 shall be a retired teacher that held the appropriate endorsement.<sup>6</sup>

25 When substituting for a teacher without sick leave, the substitute shall be certified and paid according to  
26 the state salary schedule.<sup>1</sup>

## 1 **EMERGENCY NEEDS**

2 All ~~teacher aides~~ **paraprofessionals**, secretaries and **attendance** clerks are approved substitute teachers for  
 3 use in emergency situations. Emergency use shall be defined as less than a full day due to the regular or  
 4 substitute teacher being unable to arrive on time or remain for the full day.

5 Said substitutes shall receive the proportionate equivalent salary regular substitute teachers would  
 6 receive under similar circumstances or their regular salary, if higher; however, they shall not receive pay  
 7 for both positions at the same time.

## 8 **TRAINING AND ORIENTATION**

9 The Director of Schools shall be responsible for ensuring that there are appropriate training and  
 10 development programs for substitute teachers.

## 11 **RESPONSIBILITIES**

12 Substitute teachers shall assume the same responsibilities as the regular teacher, including but not limited  
 13 to bus duty and playground supervision.

## 14 **RE-EMPLOYMENT/TERMINATION**

15 On an annual basis, the Director of Schools, with input from the principals, shall determine which  
 16 substitute teachers performed at an acceptable level. Substitute teachers who performed below an  
 17 acceptable level shall not be re-employed.

18 All substitutes shall be responsible for providing correct addresses and phone numbers and for notifying  
 19 the principal and/or third-party employer if they wish to terminate their service as substitutes.

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### Legal References

1. TRR/MS 0520-01-02-.04(5)
2. TCA 49-5-709
3. TCA 49-5-413(a)(2)
4. TCA 49-2-203(a)(14)
5. TCA 49-3-312(b)
6. TCA 49-3-312(a); TRR/MS 0520-01-02-.04(5)(b)

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### Cross References

Background Investigations 5.118  
 Employment of Retirees 5.119

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Compulsory Attendance Ages</b>	Descriptor Code: <b>6.201</b>	Issued Date: <b>05/22/14</b>
		Rescinds: <b>6.201</b>	Issued: <b>07/08/13</b>

1 Children between the ages of six (6) and seventeen (17) years, both inclusive, must attend a public or  
2 private school.<sup>1</sup> A parent/guardian or legal custodian who believes that their child is not ready to at-  
3 tend school at the designated age of mandatory attendance may make application to the principal of the  
4 public school which the child would attend for a one (1) semester or one year deferral in required at-  
5 tendance. Any such deferral shall be reported to the Director of Schools by the principal.<sup>2</sup> Under certain  
6 circumstances, the Board may temporarily excuse students from complying with the provisions of the  
7 compulsory attendance law.<sup>3</sup>

8 Any child residing within the state who is or will be five (5) years of age on or before August 15 for all  
9 school years thereafter, who makes application for admission, shall be enrolled in the school designated  
10 by the Board.<sup>4</sup>

11 If a child will be five (5) years of age on or before September 30, such child's parent(s)/legal guardian(s)  
12 may request that the child be admitted into kindergarten. Upon a request, the Director of  
13 Schools/[designee](#) shall administer an evaluation and examination. If the results indicate that the child is  
14 sufficiently mature emotionally and academically, then the child may be enrolled into kindergarten. The  
15 Director of Schools shall develop procedures and forms to implement the provisions of this policy.

16 No child shall be eligible to enter first grade without having attended an approved kindergarten program.<sup>5</sup>

17 A child entering a special education program shall be no less than three (3) years of age.<sup>6</sup>

18 A person eighteen (18) years of age or older who applies for admission must have the application ap-  
19 proved by the principal and Director of Schools when:

- 20 1. He/she fails to enroll within thirty (30) calendar days after school officially starts; or
- 21 2. He/she has dropped out of school and wants to re-enter.

22 The compulsory attendance law shall not apply to the following:<sup>7</sup>

- 23 1. A student who has received a diploma or other certificate of graduation;
- 24 2. A student who is enrolled and making satisfactory progress in a course leading to a GED;
- 25 3. A student who is six (6) years or younger and whose parent or guardian has filed notice of intent  
26 to conduct home school with the Director of Schools; or
- 27 4. A student enrolled in a home school who has reached the age of seventeen (17).

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Legal References

1. TCA 49-6-3001 (c)(1)
2. TCA 49-6-3001 (c)(5)
3. TCA 49-6-3005
4. TCA 49-6-201 (b)(3); TCA 49-6-3001 (b)(1)
5. TCA 49-6-201 (8)(d)
6. 20 U.S.C. Sec 5. 1400-1485
7. TCA 49-6-3001 (c)(2)(A)-(D)

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Cross References

Special Education Program 4.202  
Adult Education Program 4.208  
Special Education Students 6.500

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>School Admissions</b>	Descriptor Code: <b>6.203</b>	Issued Date: <b>04/23/20</b>
		Rescinds: <b>6.203</b>	Issued: <b>10/02/03</b>

1 Any student entering school for the first time ~~must~~ **should** present:

- 2
- 3 1. A birth certificate or officially acceptable evidence of date of birth at the time of registration;<sup>1</sup>
- 4
- 5 2. Evidence of a current medical examination.<sup>2</sup> There shall be a complete medical examination of
- 6 every student entering school for the first time. This applies to kindergarten, first grade and other
- 7 students for whom there is no health record; and
- 8
- 9 3. Evidence of state-required immunization.<sup>3</sup>

10 The name used on the records of a student entering school must be the same as that shown on the birth  
11 certificate unless evidence is presented that such name has been legally changed through a court as  
12 prescribed by law. If the parent/guardian does not have or cannot obtain a birth certificate, then the name  
13 used on the records of such student will be the same as that shown on documents which are acceptable  
14 to the school principal as proof of date of birth.

15 A child whose care, custody and support has been assigned to a resident of the district by a power of  
16 attorney or order of the court shall be enrolled in school provided appropriate documentation has been  
17 filed.<sup>4</sup>

18 A student may transfer into the school system at any time during the year if his/her parent(s) or legal  
19 guardian moves his/her residence into the school system.

20 The residence of a non-custodial parent may not be used in determining the residence of a student.

## 22 **ADJUCATED DELINQUENT STUDENT**

23 If a student has at any time been adjudicated delinquent for any offences listed in TCA 49-6-3051(b),  
24 the parents/guardian(s) and a school administrator of any school having previously received similar  
25 notice from the juvenile court or another source shall provide to the school principal/designee the  
26 abstract<sup>5</sup> or other similar written information when any such student;<sup>6</sup>

- 27 1. Initially enrolls in an LEA;
- 28 2. Resumes school attendance after suspension, expulsion, or adjudication of delinquency; or
- 29 3. Changes schools within this state.

30 This information shall be shared only with school employees who have responsibility for classroom  
31 instruction of the student, the school counselor, social worker, or psychologist who is developing a plan

1 for the student while in the school, the clerk responsible for data entry, and the school resource officer.  
2 Such information is otherwise confidential and shall not be released to others. The written notification  
3 shall not become a part of the student's record.<sup>6</sup>

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Legal References

1. TCA 49-6-3008(b)
2. TRR/MS 0520-01-03-.08(2)(a)
3. TCA 49-6-5001(c)
4. TCA 49-6-3001(c)(6)
5. TCA 37-1-153, 154
6. TCA 49-6-3051

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Cross References

Admission of Suspended/Expelled Students 6.318  
Homeless Students 6.503  
Migrant Students 6.504  
Students in Foster Care 6.505  
Students from Military Families 6.506

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in March</b>	Descriptor Term: <b>Code of Conduct and Discipline</b>	Descriptor Code: <b>6.300</b>	Issued Date: <b>08/25/22</b>
		Rescinds: <b>6.300</b>	Issued: <b>08/26/21</b>

1 The Board delegates to the Director of Schools the responsibility of developing specific codes of  
2 behavior and discipline, which are appropriate for each level of school.<sup>1</sup> Codes of conduct for students  
3 in pre-kindergarten and kindergarten shall utilize alternative disciplinary practices such as time-out,  
4 1(one) minute for each year of the student's age. Exclusionary discipline shall only be used as a  
5 measure of last resort.<sup>2</sup> The development of each code shall involve principals and faculty members of  
6 each level and shall be based on evidence-based behavior supports and interventions.<sup>3</sup>

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 to maintain  
9 a safe learning environment where orderly learning is possible and encouraged.<sup>4</sup> These misbehaviors  
10 apply to student conduct on school buses, on school property, and while students are on school  
11 sponsored outings. Staff members have the authority to enforce the code of conduct<sup>3</sup> and shall ensure  
12 that disciplinary measures are implemented in a manner that:<sup>5</sup>

- 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 in 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: RTI<sup>2</sup>B, multi-tiered system of supports, or behavior intervention  
26 plans. Principals shall use appropriate discipline management techniques when enforcing the code of  
27 conduct.

## 28 **MISBEHAVIORS: Level I**

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

32 *Examples (not an exclusive listing):*

- 1 • Classroom disturbances
- 2 • School or class tardiness
- 3 • Cheating and lying
- 4 • Abusive language
- 5 • Non-defiant failure to do assignments or carry out directions
- 6 • Wearing while on the grounds of a public school during the regular school day, clothing
- 7 that exposes underwear or body parts in an indecent manner that disrupts the learning
- 8 environment<sup>6</sup>
- 9 • Victimization of any student (Harassment (Sexual, Racial, Ethnic, Religious), Bullying,
- 10 Cyber-bullying, and/or Hazing)

11 *Disciplinary Procedures:*

- 12 • Immediate intervention by the staff member.
- 13 • Determine what offense was committed and its severity.
- 14 • Determine offender and that he/she understands the nature of the offense.
- 15 • Employ appropriate disciplinary options.
- 16 • Record of the offense and disciplinary action maintained by staff member.

17 *Disciplinary Options:*

- 18 • Verbal reprimand
- 19 • Special assignment
- 20 • Restricting activities
- 21 • Assigning work details
- 22 • Counseling
- 23 • Withdrawal of privileges
- 24 • ~~Issuance of demerits which might affect citizenship or department grades~~
- 25 • Strict supervised study
- 26 • Detention
- 27 • Corporal punishment
- 28 • In-school suspension
- 29 • RTI<sup>2</sup>B, multi-tiered system of supports or behavior intervention plans

30 **MISBEHAVIORS: Level II**

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

35 *Examples* (not an exclusive listing):

- 36 • Continuation of unmodified Level I behaviors
- 37 • School or class tardiness
- 38 • Using forged notes or excuses

- 1                   • Disruptive classroom behavior

2                   *Disciplinary Procedures:*

- 3                   • Student is referred to principal for appropriate disciplinary action.  
4                   • Principal meets with student and teacher.  
5                   • Principal hears accusation made by teacher, permits student the opportunity of  
6                   explaining his/her conduct.  
7                   • Principal takes appropriate disciplinary action and notifies teacher of action.  
8                   • Record of offense and disciplinary action maintained by principal.

9                   *Disciplinary Options:*

- 10                  • Teacher/schedule change  
11                  • Modified probation  
12                  • Behavior modification  
13                  • Social probation  
14                  • Peer counseling  
15                  • In-school suspension  
16                  • Transfer  
17                  • Detention  
18                  • Corporal punishment  
19                  • Suspension from school-sponsored activities or from riding school bus  
20                  • Out-of-school suspension (not to exceed ten (10) days).  
21                  • RTI<sup>2</sup>B, multi-tiered system of supports or behavior intervention plans

22                  **MISBEHAVIORS: Level III**

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

25                  *Examples (not an exclusive listing):*

- 26                  • Continuation of unmodified Level I and II behaviors  
27                  • Fighting (simple)  
28                  • Vandalism (minor)  
29                  • Use, possession, sale, and/or distribution of tobacco, drugs, and/or alcohol  
30                  • Stealing  
31                  • Threats to others  
32                  • Victimization of any student (Harassment (Sexual, Racial, Ethnic, Religious), Bullying,  
33                  Cyber-bullying, and or Hazing)

34                  *Disciplinary Procedures:*

- 35                  • Student is referred to principal for appropriate disciplinary action.  
36                  • Principal meets with student and teacher.

- 1 • Principal hears accusation and allows the student the opportunity to explain his/her
- 2 conduct.
- 3 • Principal takes appropriate disciplinary action and notifies the staff member of the
- 4 action.
- 5 • Principal may refer incident to Director of Schools and make recommendations for
- 6 consequences.
- 7 • If student's program is to be changed, adequate notice shall be given to the student and
- 8 his/her parents/guardian(s) of the charges against him, his/her right to appear at a
- 9 hearing and to be represented by a person of his/her choosing.
- 10 • Any change in school assignment is appealable to the Board.
- 11 • Record of offense and disciplinary action maintained by principal or Director of
- 12 Schools.

13 *Disciplinary Options:*

- 14 • In-school suspension
- 15 • Detention
- 16 • Corporal punishment
- 17 • Restitution from loss, damage or stolen property
- 18 • Out-of-school suspension not to exceed ten (10) days
- 19 • Social adjustment classes
- 20 • Transfer
- 21 • Alternative School
- 22 • RTI<sup>2</sup>B, multi-tiered system of supports or behavior intervention plans

23 **MISBEHAVIORS: Level IV**

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

28 If a student's action poses a threat to the safety of others in the school, a teacher, principal, school  
 29 employee, or school bus driver may use reasonable force when necessary to prevent bodily harm or  
 30 death to another person.<sup>7</sup>

31 *Examples (not an exclusive listing):*

- 32 • Unmodified Level I, II and III behaviors
- 33 • Death threat (hit list)
- 34 • Extortion
- 35 • Bomb threat
- 36 • Possession/use/transfer of dangerous weapons \*
- 37 • Assault that results in bodily injury upon any teacher, principal, administrator, any other
- 38 employee of the school, or a school resource officer\*
- 39 • Aggravated Assault \*

- 1 • Vandalism
- 2 • Theft/possession/sale of stolen property
- 3 • Arson
- 4 • Possession of unauthorized substances (i.e. any controlled substance, controlled
- 5 substance analogue, or legend drug)\*
- 6 • Use, possession, sale or distribution of drug paraphernalia
- 7 • Use, sale, distribution and/or being under the influence of drugs
- 8 • Victimization of any student (Harassment (Sexual, Racial, Ethnic, Religious), Bullying,
- 9 Cyber-bullying, and/or Hazing)
- 10 • Electronic threat to cause bodily injury or death to another student or school employee\*
- 11 • Unauthorized possession of a firearm\*

12 *Disciplinary Procedures:*

- 13 • Principal confers with appropriate staff members and with the student.
- 14 • Principal hears accusations and permits offender opportunity to explain his/her conduct.
- 15 • Parents/guardians are notified.
- 16 • Law enforcement officials are contacted.
- 17 • Incident is reported and recommendations made to the Director of Schools.
- 18 • The principal notifies the staff members of the resolution.
- 19 • If the student's placement is to be changed, adequate notice of the charges shall be
- 20 given to the student and his/her parent(s)/guardian(s) and his/her right to appear at a
- 21 disciplinary hearing.

22 *Disciplinary Options*

- 23 • Expulsion
- 24 • Alternative schools
- 25 • RTI<sup>2</sup>B, multi-tiered system of supports or behavior intervention plans

26 \*Expulsion/Remand for a period of not less than one (1) calendar year subject to modification by the  
27 Director of Schools on a case-by-case basis.

28 **ADDITIONAL GUIDELINES:**

- 29 • A student shall not be suspended solely because charges are pending against him/her in
- 30 juvenile or other court.
- 31 • A principal shall not impose successive short term suspensions that cumulatively
- 32 exceed ten (10) days for the same offense.<sup>3</sup>
- 33 • A teacher or other school official shall not reduce or authorize the reduction of a
- 34 student's grade because of discipline problems ~~except in department or citizenship.~~
- 35 • A student shall not be denied the passing of a course or grade promotion solely on the
- 36 basis of absences except as provided by board policy.
- 37 • A student shall not be denied the passing of a course or grade promotion solely on the
- 38 basis of failure to:
- 39 ○ pay any activity fee;

- 1 ○ pay a library or other school fine; or
- 2 ○ make restitution for lost or damaged school property.

\* Zero tolerance offences

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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

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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

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term:  <b>Bus Conduct</b>	Descriptor Code: <b>6.308</b>	Issued Date: <b>09/26/19</b>
		Rescinds: <b>6.308</b>	Issued: <b>06/26/08</b>

1 In order to maintain conditions and atmosphere suitable for learning, no person shall enter onto a school  
2 bus except students assigned to that bus, ~~or parents of students~~, or other persons with lawful and valid  
3 business on the bus.<sup>1</sup> A driver may remove a student in the event that the driver finds it necessary for the  
4 safety of the other student passengers or the driver, provided that the driver secures the safety of the  
5 ejected student for the uncompleted trip. A driver shall report to school authorities as soon as possible,  
6 but no later than the end of the route, any student refusing to obey the driver or exiting the bus without  
7 the driver's permission at a point other than the student's destination for that trip.<sup>2</sup>

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

10 Students are under the supervision and control of the bus driver while on his/her bus, and all reasonable  
11 directions given by him/her shall be followed.

12 The principal of the student transported shall be informed by the bus driver of any serious discipline  
13 problem and may be called upon to assist if necessary. A student may be denied the privilege of riding  
14 the bus if the principal determines that his/her behavior is such as to cause disruption on the bus, or if  
15 he/she disobeys state or local rules and regulations pertaining to student transportation.

16 The suspension of a student from riding the school bus shall follow the same procedures as for any other  
17 school suspension.

18 Any student who gets off the bus at any point between the pick-up point and school must present the bus  
19 driver with a note of authorization from the parent or the principal of the school that the student attends.

20 Any student wishing to ride a bus other than his/her designated bus must have written parental permission  
21 and the approval of the principal or his/her designee.

22 Students who transfer from bus to bus while enroute to and from school shall be expected to abide by  
23 the discipline policies adopted by the Board and rules adopted by the staff of the terminal school.

## 24 Use of Video Cameras

25 Video cameras may be used to monitor student behavior on school vehicles transporting students to and  
26 from school or extracurricular activities.

27 Students in violation of bus conduct rules shall be subject to disciplinary action in accordance with  
28 established board policy and regulations governing student conduct and discipline.

1 Photographs and video footage shall be used only to promote the order, safety and security of students,  
2 staff and property.

3 The district shall comply with all applicable state and federal laws related to photographs and video  
4 footage.<sup>3</sup> These materials shall be maintained for a minimum of 60 days. Parent(s)/guardian(s) may  
5 submit a written request to view photographs and video footage to the Director of Schools/designee, and  
6 a time shall be arranged for viewing at the central office within 7 days after the request is made. The  
7 Director of Schools/designee shall be present when parent(s)/guardian(s) are provided the opportunity  
8 to review photographs and video footage.<sup>4</sup>

9 The Director of Schools shall develop procedures governing the use of cameras and video cameras in  
10 accordance with the provisions of state and federal law and established board policies.

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Legal References

1. TCA 49-6-2008
2. TCA 49-6-2118(d)
3. TCA 10-7-504; 20 USCA §1232g
4. Public Acts of 2019, Chapter No. 256

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Cross References

Student Transportation Management 3.400  
Scheduling and Routing 3.401  
Code of Conduct 6.300  
Student Records 6.600  
Annual Notification of Rights 6.601  
Inspection and Correction Procedure 6.602

# Cumberland County Board of Education

Monitoring:  <b>Review: Annually, in April</b>	Descriptor Term:  <h2 style="text-align: center;">Zero Tolerance Offenses</h2>	Descriptor Code: <b>6.309</b>	Issued Date: <b>10/22/20</b>
		Rescinds: <b>6.309</b>	Issued: <b>08/23/18</b>

1 In order to ensure a safe and secure learning environment, the following offenses shall not be  
 2 tolerated:<sup>1</sup>

- 3 1. Bringing to school or being in unauthorized possession of a firearm on school property;<sup>2</sup>
- 4 2. Unlawful possession of any drug, including any controlled substance, controlled substance  
 5 analogue, or legend drug on school grounds or at a school-sponsored event;<sup>3</sup>
- 6 3. Aggravated assault;<sup>4</sup> or
- 7 4. Assault that results in bodily injury<sup>5</sup> upon any teacher, principal, ~~administrator~~, any other  
 8 employee of the school, or school resource officer.

9 Committing any of these offenses shall result in a student being expelled from the regular school  
 10 program for at least one (1) calendar year unless modified by the Director of Schools. Modification of  
 11 the length of time shall be granted on a case-by-case basis. Students that commit zero tolerance  
 12 offenses may be assigned to an alternative school or program at the discretion of the Director of  
 13 Schools.<sup>6</sup>

14 When it is determined that a student has violated this policy, the principal of the school shall notify the  
 15 student's parent or guardian and the criminal justice or juvenile delinquency system as required by  
 16 law.<sup>7</sup>

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Legal References

1. TCA 49-6-3401(g)
2. 18 USCA § 921; (a)(3)20 USCA § 7961
3. TCA 39-17-454; TCA 53-10-101
4. TCA 39-13-102
5. TCA 39-13-101(a)(1)
6. TCA 49-6-3401(g)(2); TCA 49-6-3402; Public Acts of 2020, Chapter No. 603
7. TCA 49-6-4209; TCA 39-17-1312; 20 USCA§ 7961(h)(1)

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Cross References

- Code of Conduct 6.300
- Student Disciplinary Hearing Authority 6.317
- Alternative Education 6.319
- Drug-Free Schools 6.307
- Suspension/Expulsion/Remand 6.316

## Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Suspension/Expulsion/Remand</b>	Descriptor Code: <b>6.316</b>	Issued Date: <b>12/03/20</b>
		Rescinds: <b>6.316</b>	Issued: <b>02/23/17</b>

1 Any principal, principal-teacher or assistant principal (herein called principal) may suspend/~~expel~~ any  
2 student from attendance at school. Based on the severity of the offense, a principal may suspend a student  
3 from attendance at school and any school activities.

4 Students may be suspended for good and sufficient reasons including, but not limited to:<sup>1</sup>

- 5 1. Willful and persistent violation of the rules of the school;
- 6
- 7 2. Immoral or disreputable conduct, including vulgar or profane language;
- 8
- 9 3. Violence or threatened violence against the person of any personnel attending or assigned to  
10 any school;
- 11
- 12 4. Willful or malicious damage to real or personal property of the school, or the property of any  
13 person attending or assigned to the school;
- 14
- 15 5. Inciting, advising or counseling of others to engage in any of the actions that would justify  
16 suspension;
- 17
- 18 6. Marking, defacing or destroying property;
- 19
- 20 7. Possession of a pistol, gun or firearm on school property;<sup>2</sup>
- 21
- 22 8. Possession of a knife, or other weapons, as defined in state law, on school property;<sup>3</sup>
- 23
- 24 9. Assaulting a principal, teacher, school bus driver or other school personnel with vulgar obscene  
25 or threatening language;
- 26
- 27 10. Unlawful use or possession of barbitol or legend drugs, as defined in state law.<sup>4</sup>
- 28
- 29 11. Engaging in behavior, which disrupts a class or school-sponsored activity;
- 30
- 31 12. Making a threat, including a false report, to use a bomb, dynamite, or any other deadly  
32 explosive or destructive device including chemical weapons on school property or at a school  
33 sponsored event;
- 34
- 35 13. One (1) or more students initiating a physical attack on an individual student on school  
36 property or at a school activity, including travel to and from school;
- 37

1 14. Off-campus criminal behavior resulting in felony charges;

2  
3 15. When behavior poses a danger to persons or property and disrupts the educational process; or

4  
5 16. Any other conduct prejudicial to good order or discipline in any school.

6 Except in emergency, a principal shall not suspend any student until that student has been advised of  
7 the nature of his/her misconduct, questioned about it and allowed to give an explanation.

8 If, as a result of an investigation, a principal/designee finds that a student acted in self-defense under a  
9 reasonable belief that the student, or another to whom the student was coming to the defense of, may  
10 have been facing the threat of imminent danger of death or serious bodily injury, then the student may  
11 not face any disciplinary action.<sup>5</sup>

12 When a student is suspended, the principal shall notify the parents/guardians and the Director of  
13 Schools/designee of the following:

14 1. Student's suspension

15 2. Cause for the suspension; and

16 3. Any conditions for readmission which may include a meeting of the parents/guardians, student  
17 and the principal.

18 If a student is suspended during the last ten (10) days of any term or semester, he/she shall be  
19 permitted to take such final examination or submit such required work as necessary to complete the  
20 course of instruction for that semester, subject to conditions prescribed by the principal.<sup>6</sup>

#### 21 **IN-SCHOOL SUSPENSION:<sup>7</sup>**

22 In-school suspension shall be offered to students as an alternative program (if applicable) to complete  
23 academic assignments and receive credit for work completed.

24 Students given an in-school suspension in excess of one (1) day from classes shall attend either special  
25 classes attended only by students guilty of misconduct or be placed in an isolated area appropriate for  
26 study. Personnel responsible for in-school suspension shall ensure that each student is supervised at all  
27 times and has textbooks and classwork assignments from his/her regular teachers.

#### 28 **SUSPENSIONS LONGER THAN FIVE DAYS<sup>8</sup>**

29 If a suspension is longer than five (5) days, the principal shall develop and implement a plan for  
30 improving the student's behavior.

#### 31 **SUSPENSIONS LONGER THAN TEN DAYS<sup>9</sup>**

32 If the principal suspends a student for longer than ten (10) days, he/she shall immediately give written  
33 notice to the parents/guardians and the student of the right to appeal the decision. All appeals shall be  
34 filed within five (5) days of receipt of notice. These appeals may be filed by the parents/guardians, the  
35 student, or any person holding a teaching license who is employed by the school district if requested by  
36 the student.

- 1 The appeal from this decision shall be to the Disciplinary Hearing Authority appointed by the Board. If
- 2 a Disciplinary Hearing Authority has not been appointed, then the appeal shall be to the Board.

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Legal References

1. TCA 49-2-203(a)(7);  
TCA 49-6-3401(a)
2. TCA 39-17-1309(b)
3. TCA 39-17-1309
4. TCA 53-10-101; TCA 39-17-454
5. TCA 49-6-3401(i)
6. TCA 49-6-3401(d)
7. TCA 49-6-3401(b)(1)
8. TCA 49-6-3401(c)(3)
9. TCA 49-6-3401(a)-(c); *Goss v. Lopez*, 419 U.S. 565 (1975); 20 USCS § 1415;

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Cross References

Traffic and Parking Controls 3.403.  
Code of Conduct 6.300  
Procedural Due Process 6.302  
Interference/Disruption of School Activities 6.306  
Drug Free Schools 6.307  
Bus Conduct 6.308  
Zero Tolerance Offenses 6.309  
Dress Codes 6.310  
Alternative Education 6.319  
Disciplinary Hearing Authority 6.317

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Board Funding of Student Competitions</b>	Descriptor Code: <b>2.9001</b>	Issued Date: <b>07/23/20</b>
		Rescinds: <b>2.9001</b>	Issued: <b>06/22/17</b>

1 The Board may provide funding to aid and assist students to compete in national sponsored competition  
2 based on the following criteria:

- 3 1. School-sponsored activity;
- 4
- 5 2. Funding in the amount of twenty-five percent (25%) up to a maximum of \$1,500 per request;
- 6
- 7 3. Receipts or invoices shall be required; and
- 8
- 9 4. Recommendation of the Director of Schools.

10 Prior to final approval the following documents and/or requests must be completed and approved by  
11 the Director of Schools and Board of Education.

- 12 1. Submit an overnight and/or out of county trip request letter.
- 13
- 14 2. Complete the Administrative Procedure 2.9001 – Board Funding of Student Competitions Form

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Buildings and Grounds Management</b>	Descriptor Code: <b>3.200</b>	Issued Date: <b>06/22/17</b>
		Rescinds: <b>3.200</b>	Issued: <b>02/23/12</b>

1 All school properties shall be maintained in good physical condition: safe, clean, sanitary, and as  
2 comfortable and convenient as the facilities will permit or the use requires.

3 The Director will develop and implement a continuing program of maintenance of all district-  
4 owned buildings and grounds.

5 The following are the responsibilities of the maintenance supervisor:

- 6
- 7 1. Improvement and maintenance of school buildings and grounds;
- 8
- 9 2. Repairs, including repairs of equipment, and painting; and
- 10
- 11 3. Disposal of obsolete equipment.

12 The following are responsibilities of building principals:

- 13 1. To implement adequate custodial programs;
- 14
- 15 2. To oversee the operation of the school plant and require that personnel assigned to the  
16 building keep it in a safe, clean, healthy, and pleasant condition;
- 17
- 18 3. To make continuing checks for hazardous conditions, including safety and operation of  
19 equipment, and prevention of hazardous situations caused by carelessness; and
- 20
- 21 4. To request, on a timely basis, appropriate maintenance and repairs through appropriate  
22 channels.

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term:  <b>Safety</b>	Descriptor Code: <b>3.201</b>	Issued Date: <b>01/24/19</b>
		Rescinds: <b>3.201</b>	Issued: <b>09/28/17</b>

## 1 SCHOOL SYSTEM EMPLOYEES

2 Each employee shall take every reasonable precaution for the safety of themselves, students, visitors  
3 and all others having business with all stakeholders within the school system.<sup>1</sup> Each employee shall  
4 follow all safety policies and guidelines set forth by the school system.<sup>2</sup>

## 5 SYSTEM SAFETY COORDINATOR

6 The responsibility for developing the total safety program shall be delegated by the Director of  
7 Schools to a staff person. This designee, the system safety coordinator, shall be provided with  
8 support, time, budget, and authority commensurate with the task. The system safety coordinator,  
9 acting in an advisory capacity to all heads of major units within the system, shall be responsible for  
10 the promotion and development of an aggressive loss prevention and safety education program for  
11 employees and students of the school system. The supervisor of buildings and grounds is assigned  
12 the duties and responsibilities of system safety coordinator.

13 Other responsibilities include but are not limited to:

- 14 Personal Protective Equipment program (PPE)
- 15 Employee safety training and safety incentive program
- 16 Chairman of safety advisory committee
- 17 Implement a system safety manual

## 18 SAFETY ADVISORY COMMITTEE

19 The principal of each school, the school nutrition, career and technical education, transportation,  
20 and maintenance supervisor(s) shall serve on the system safety advisory committee.

21 The safety committee shall review issues, student accident reports, and research and develop programs  
22 related to safety. The committee shall assist the system safety coordinator in disseminating safety and  
23 loss prevention information throughout the school system. The committee shall meet on an annual  
24 basis.

## 25 EMPLOYEE REPORTING

26 It shall be the responsibility of each employee to report any accident, incident, or unsafe condition  
27 immediately to his/her supervisor.

1 The report shall be filled out by the employee and may include suggestions for corrective action. The  
2 report shall be given to the employee's supervisor who shall take the corrective action as necessary if  
3 the action is in the scope of his/her authority or forward the report to the system safety coordinator for  
4 corrective action.

### 5 **SUPERVISOR REPORTING**

6 The injured employee's supervisor or designee (nurse) shall complete in its entirety, First Report of  
7 Work Injury to the Tennessee Risk Management Trust web site within one (1) working day after  
8 knowledge of such accident. Copies are forwarded to Human Resources. After the employee  
9 completes the Medical Authorization Form, the supervisor shall then also provide additional employee  
10 information to the supporting insurance company(ies) to facilitate prompt handling of workers'  
11 compensation claims. This information shall include the employee's home and work telephone  
12 numbers.

### 13 **SAFETY INSPECTIONS**

14 Each school principal or department supervisor shall conduct or ensure that others conduct a safety  
15 assessment of buildings, equipment, grounds, and protective equipment under his/her supervision at  
16 least twice a year, no later than October 15 and February 28.

17 Copies of this assessment shall be submitted to the system safety coordinator. The system safety  
18 coordinator shall retain the copies of the safety assessment and make them available to the Director of  
19 Schools upon request.

### 20 **ACCIDENT INVESTIGATIONS**

21 It shall be the responsibility of each supervisor of employees injured on the job to investigate all  
22 accidents immediately after the injured employee(s) have received proper emergency medical  
23 attention.

24 The supervisor shall submit the appropriate accident investigation form to the system safety  
25 coordinator and Human Resources. The supervisor shall take the corrective action necessary if the  
26 action is in the scope of his/her authority or forward the report to the system safety coordinator for  
27 corrective action.

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#### Legal References

1. TCA 49-6-2008
2. TCA 49-6-1003

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#### Cross References

- Visitors to the School 1.501  
Care of School Property 6.311

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term:  <b>Security</b>	Descriptor Code: <b>3.205</b>	Issued Date: <b>07/22/21</b>
		Rescinds: <b>3.205</b>	Issued: <b>02/28/19</b>

1 **General<sup>1</sup>**

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

- 4 1. Closing and securing teacher work areas when left unattended or at the end of the day;  
5  
6 2. Denying students permission to use the classrooms, laboratories, gymnasiums or other  
7 school facilities or equipment without appropriate faculty supervision;  
8  
9 3. Controlling the issuance of building keys, master keys, security codes; and  
10  
11 4. Developing programs which contribute to the proper care and use of school facilities and  
12 equipment.  
13  
14 5. Ensuring that equipment purchased with federal funds as directed by federal and state law.<sup>2</sup>

15 The principal shall call law enforcement officials in cases involving illegal entry, theft, or vandalism.  
16 The principal shall notify the Director of Schools as soon as practical, but no longer than twenty-four  
17 (24) hours, after a case of vandalism, theft, building damage, and/or illegal entry.

18 The Director of Schools/designee is authorized to sign a criminal complaint and to press charges. The  
19 Director of Schools shall report all signing of such complaints to the Board.

20 **LAW ENFORCEMENT SERVICES<sup>1</sup>**

21  
22 The Board may enter into collaborative partnerships with appropriate law enforcement  
23 agencies. Partnerships may include, but not limited to, education and recreational programs,  
24 delinquency prevention and mentoring initiatives.

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

- 28 1. Any School Resource Officer (SRO) assigned under a memorandum must be in compliance  
29 with all laws, regulations and rules of the Peace Officer Standards and Training Commission

- 1 at the time of assignment and remain compliant throughout his or her assignment.
- 2 2. As a condition of assignment, any SRO must participate in forty (40) hours of basic training  
3 in school policing within twelve (12) months of assignment. Every year thereafter the SRO  
4 shall participate in a minimum of sixteen (16) hours of training specific to school policing. All  
5 training programs shall be approved by the Peace Officers Standards and Training  
6 Commission.<sup>3</sup>
- 7 3. Any SRO assigned under the memorandum remains an employee of the law enforcement  
8 agency, subject to that agency's direction, control, supervision and discipline.
- 9 4. No SRO shall be assigned to a school, or continue in such an assignment, without the consent  
10 of the Director of Schools.
- 11 5. In the event that more than one SRO is assigned to a school district, the law enforcement  
12 agency shall designate one of the SROs as the senior SRO. The duties of the senior SRO,  
13 however designated, shall include, but not be limited to, the following:
- 14 a. To represent and carry out the policies of the law enforcement agency assigning the  
15 SROs.
- 16 b. To supervise the SROs in the performance of their duties;
- 17 c. To consult with the Director regarding the best use of the available resources for  
18 school policing; and
- 19 d. To resolve disputes between the SROs and students or faculty members.
- 20 6. The memorandum may be effective for any length of time, including continuing until  
21 terminated by the parties, and may contain any reasonable notice requirement for the  
22 termination of the memorandum. However, the memorandum shall contain a provision  
23 allowing the Director of Schools to suspend the active participation of any SROs in the event  
24 that the Director of Schools determines that the health, safety or well being of the students or  
25 faculty members require the immediate suspension.

## 26 **CYBERSECURITY<sup>4</sup>**

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

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Legal References

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

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Cross References

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

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <h2 style="text-align: center;">Waivers of Statutes, Rules and Regulations</h2>	Descriptor Code: <b>4.607</b>	Issued Date: <b>10/05/06</b>
		Rescinds:	Issued:

1 If the Board determines that it is in the best interest of the school district, application may be made to  
 2 the Commissioner of Education for a waiver of any state board rule or regulation that inhibits or hinders  
 3 the Board's ability to implement programs designed to improve student achievement.<sup>1</sup> However, the  
 4 Board will not seek a waiver from those rules and regulations that are specifically excluded by state law.

5 Further, the Board may request from the Commissioner of Education a waiver of state law, rule or  
 6 regulation from maximum class sizes in the event a natural disaster has caused displaced students to  
 7 become enrolled in the school district.<sup>2</sup>

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Legal References:

1. Public Acts, 2006, Public Chapter 727
2. Public Acts, 2006, Public Chapter 579

# Cumberland County Board of Education

Monitoring: <b>Date Last Reviewed: 04/08/04</b>	Descriptor Term: <b>Personnel Goals and Objectives</b>	Descriptor Code: <b>5.100</b>	Issued Date: <b>04/22/21</b>
		Rescinds: <b>5.100</b>	Issued: <b>04/28/11</b>

1 The Board's personnel goals are as follows:

- 2
- 3 1. To ensure that the Director of Schools recruits and employs the best qualified individuals to
- 4 staff the school district;
- 5
- 6 2. To provide compensation, benefits and working environment sufficient to attract and retain
- 7 qualified employees;
- 8
- 9 3. To set goals for educator diversity that take into consideration the diversity of the student
- 10 population;<sup>1</sup>
- 11
- 12 4. To provide an in-service training program for all employees to improve their performance;
- 13 and
- 14
- 15 5. To conduct an evaluation program that will contribute to the continuous improvement of staff
- performance.

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#### Legal References

1. State Board of Education Policy 5.700;  
TCA 49-1-302(g)

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#### Cross Reference

- School District Goals & Objectives 1.700

# Cumberland County Board of Education

<b>Last Reviewed</b> 04/08/04	Descriptor Term:  <b>Line and Staff Relations</b>	Descriptor Code: <b>5.101</b>	Issued Date: <b>10/08/02</b>
		Rescinds:	Issued:

- 1 The Director of Schools shall establish lines of authority which shall be approved by the Board and  
2 shown on the system organization chart.
- 3 All personnel are expected to keep the person to whom they are immediately responsible informed of  
4 their activities and shall refer matters requiring administrative action to the administrator to whom they  
5 are responsible. That administrator shall refer such matters to the next higher administrative authority  
6 when necessary.
- 7 All personnel shall have the right to appeal any decision made by an administrative officer through  
8 grievance procedures established through board policy.
- 9 Lines of authority do not restrict the cooperative, sensible working together of all staff members at all  
10 levels. The established lines of authority represent direction of authority and responsibility and avenues  
11 for a two-way flow of ideas to improve the program and operations of the school system

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#### Cross References

Assignment/Transfer 5.115  
Complaints and Grievances 5.501

# Cumberland County Board of Education

Monitoring: <b>Date Last Reviewed: 04/08/04</b>	Descriptor Term:  <b>Job Descriptions</b>	Descriptor Code: <b>5.103</b>	Issued Date: <b>03/04/04</b>
		Rescinds: <b>5.103</b>	Issued: <b>02/06/97</b>

- 1 The Board will approve the broad purpose and function of the position in accord with state laws and  
2 state regulations, approve a statement of duties as recommended by the Director of Schools, and delegate  
3 to the Director of Schools the task of writing, or causing to be written, a job description for the position.
- 4 A copy of each job description shall be provided to the employee and the immediate supervisor and be  
5 included in the employee's personnel record. A copy of all job descriptions shall be maintained in the  
6 Director of Schools' office. Job descriptions shall be used as guides in annual employee evaluations.
- 7 The Director of Schools shall maintain a comprehensive, coordinated set of job descriptions for all such  
8 positions so as to promote efficiency and economy in the staff's operations.

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Cross References:

Evaluation 5.109

Qualifications/Duties of the Director of Schools 5.802

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Application and Employment</b>	Descriptor Code: <b>5.106</b>	Issued Date: <b>07/22/21</b>
		Rescinds: <b>5.106</b>	Issued: <b>01/24/19</b>

## 1 APPLICATION

2 An individual desiring a position with the Cumberland County School District shall make application  
3 to the Director of Schools on forms approved by the Board. The district shall require criminal history  
4 background checks, fingerprinting, physical, and 10-panel drug screen of all applicants during a post  
5 offer phase of employment.<sup>1</sup> 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.<sup>2</sup>

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.<sup>3</sup>

11 Any costs incurred to perform these background checks and fingerprinting shall be paid by the  
12 applicant. The Board may reimburse the applicant if a position is offered and accepted.<sup>4</sup>

### 13 *Professional Employees*

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

19 No person shall be employed who:

- 20 1. Does not hold a valid license to teach or a temporary permit to teach from the State Board of  
21 Education;<sup>6</sup>
- 22 2. Has been identified by the Department of Children's Services as a perpetrator of child abuse,  
23 severe child abuse, child sexual abuse, or child neglect, or who poses an immediate threat to the  
24 health, safety, or welfare of children.<sup>7</sup>
- 25 3. Is listed on the state's abuse of vulnerable persons registry maintained by the Department of  
26 Health.<sup>7</sup>
- 27 4. Does not present a physician's certificate showing a satisfactory health record or who has any  
28 contagious or communicable disease in such form that might endanger the health of school  
29 children;<sup>8</sup>

1 5. Refuses to take and subscribe to an oath to support the Constitution of the State of Tennessee  
2 and of the United States of America;<sup>9</sup>

3 6. Fails to make a full disclosure of any prior criminal record and any prior dismissals from  
4 employment for cause;

5 7. Does not receive a satisfactory background check.<sup>10</sup>

#### 6 *Support Employees*

7 No person shall be employed who:

8 1. Has any contagious or communicable disease in such form that might endanger the health of  
9 the children;<sup>8</sup>

10 2. Has been identified by the Department of Children's Services as a perpetrator of child abuse,  
11 severe child abuse, child sexual abuse, or child neglect, or who poses an immediate threat to the  
12 health, safety or welfare of children.<sup>7</sup>

13 3. Is listed on the state's abuse of vulnerable persons registry maintained by the Department of  
14 Health.<sup>7</sup>

15 4. Has not complied with the Immigration Reform and Control Act of 1986;<sup>11</sup>

16 5. Fails to make a full disclosure of any prior criminal record and any prior dismissals from  
17 employment for cause; or

18 6. Does not receive a satisfactory background check.<sup>10</sup>

#### 19 **EMPLOYMENT**

20 After checking references and receiving written recommendations, the Director of Schools may hire  
21 and assign qualified applicants.

#### 22 *Initial Employment for Professional Employees*

23 Upon initial employment, the Director of Schools shall notify such person, in writing, of the offer and  
24 conditions of employment. Upon receipt of employment notification, such person shall respond within  
25 the timeline established by state law.<sup>12</sup> From the date of the written acceptance, such person is  
26 considered to be under employment with the district and is subject to all rights, privileges and duties.

#### 27 *School Bus Drivers Additional Requirements<sup>13</sup>*

28 All new school bus drivers must meet the following requirements:

29 1. Be at least 25 years old;

30 2. Possess at least five consecutive years of "unrestricted" driving experience; and

31 3. Possess "good character, competency and fitness."

32 The new law applies only to persons who receive an "initial school bus endorsement" after January 1,  
33 2018. It does not apply to persons who already possess a school bus endorsement on January 1, 2018.  
34 Also, it does not apply to persons who renew or reinstate a license issued prior to January 1, 2018, that  
35 included a school bus endorsement.

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**Legal References**

1. TCA 49-5-406
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; Public Acts of 2021, Chapter No. 211
7. TCA 49-5-413(e)
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)
13. TCA 55-50-302

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**Cross References**

Orientation and Probation 5.107  
Compensation Guides & Contracts 5.110  
Background Investigations 5.118  
Recommendations and File Transfers 5.203  
Interim Employees 5.700  
Qualifications and Duties of the Director of Schools 5.802

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Personnel Records</b>	Descriptor Code: <b>5.114</b>	Issued Date: <b>05/24/18</b>
		Rescinds: <b>5.114</b>	Issued: <b>04/27/17</b>

1 The Director of Schools/designee(s) shall be authorized to maintain personnel records and to permit  
2 inspection of the same. The following records shall be maintained for all employees as appropriate in  
3 the office of the Director of Schools:

- 4 1. Employee applications and contracts;
- 5 2. Professional certificates and other documents required by state and federal laws and  
6 regulations;<sup>1</sup>
- 7 3. Cumulative information files:
  - 8 a. Date and place of birth
  - 9 b. Work history
  - 10 c. Qualifications
  - 11 d. Physical exams
  - 12 e. Evaluations (non-teachers)
  - 13 f. Military Service
  - 14 g. Criminal history record information

15 All employment will be contingent upon all required documentation (ex. pre-employment physical,  
16 drug test, background check, parapro test completion, etc.) being satisfactorily completed before his or  
17 her first day of employment.

18 The following guidelines regarding records and files shall be followed:

- 19 1. Information contained in personnel records shall be limited to job-related matters;
- 20
- 21 2. The Director of Schools shall be responsible for notifying all employees of the types of  
22 information kept and its uses;
- 23
- 24 3. Employees shall be granted an opportunity to respond in writing to material placed in records;
- 25
- 26 4. Employee records are public records, except for medical records and matters deemed  
27 confidential by law, and shall be open for inspection during regular business hours;<sup>2</sup>
- 28
- 29 5. In accordance with federal law, the district shall release information regarding the professional  
30 qualifications and degrees of teachers and the qualifications of paraprofessionals to parents  
31 upon request for any teacher or paraprofessional who is employed by a school receiving Title I  
32 funds and who provides instruction to their child at that school;<sup>3</sup>
- 33

- 34 6. Members of the public may not obtain the home telephone number, personal cell phone  
35 number, bank account information, social security number, residential street address, driver  
36 license information (except where driving or operating a vehicle is considered to be a part of  
37 the employee's duties), of an employee or of the immediate family members or household  
38 members of an employee, unless release of this information is expressly authorized by the  
39 employee;<sup>4</sup>  
40
- 41 7. A record of the person inspecting and the date of inspection shall be recorded; and  
42
- 43 8. Copies of administrative records may be made under rules determined by the director of  
44 schools.<sup>5</sup>
- 45 Teacher evaluations and other instruments of communication between the teacher and the principal  
46 will be maintained in a secured file in the principal's office, of the school of assignment. Similar files  
47 of principals and supervisors shall be maintained in the office of the Director of Schools.

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**Legal References**

1. TCA 49-2-301(b)(1)(M)
2. TCA 10-7-503, 504
3. 20 USCA § 6311(g)(2)
4. TCA 10-7-504(f)(1)
5. TCA 10-7-506; TCA 49-2-301(b)(1)(CC); TCA 8-50-108

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**Cross References**

School District Records 1.407

# Cumberland County Board of Education

Monitoring: <b>Date Last Received: 04/08/04</b>	Descriptor Term: <b>Staff Positions</b>	Descriptor Code: <b>5.116</b>	Issued Date: <b>04/03/08</b>
		Rescinds: <b>5.116</b>	Issued: <b>12/05/02</b>

## 1 CREATION OF POSITION

2 All staff positions shall be approved through the budget process in accordance with an organizational  
3 plan submitted by the Director of Schools.<sup>1</sup> Before an additional position is established, the Director of  
4 Schools will present to the Board a job description, qualifications, performance responsibilities and the  
5 method by which the performance of these responsibilities will be evaluated.

6 The Director of Schools may revise the organizational plan as long as budgetary amounts are not  
7 exceeded and board policy is not violated. In the event of reorganization, the Director of Schools will  
8 adhere to all applicable reduction in force guidelines and will inform, in a timely manner, each member  
9 of the board of the change and include the change in the Director's report at the next board meeting. If  
10 change in personnel creates additional encumbrance on a future budget, prior approval of the Board is  
11 required.

## 12 REDUCTION IN FORCE

13 When it becomes necessary to reduce the number of positions in the system because of a decrease in  
14 enrollment or for other good reasons, the Board shall abolish the positions and dismiss such employees  
15 as may be necessary.<sup>2</sup>

## 16 Licensed Personnel

17 Reductions in staff will be made according to which have the least detrimental effect on children. In  
18 general, this objective dictates a staff reduction policy which:

- 19 1. Retains the most effective teachers;
- 20 2. Avoids undue increases in class size; and
- 21 3. Provides consideration for the exceptional teacher without exclusive emphasis on seniority.

22 The elimination of a position does not necessarily mean the person occupying the position will be  
23 dismissed. When an employee is released, it is the responsibility of the Director to make a  
24 recommendation to the Board about which employee shall be released and to justify the recommendation  
25 based upon a composite of the following criteria:

- 26 1. Effectiveness in teaching and in related professional responsibilities evidenced by teacher  
27 evaluation;
- 28 2. Adaptability to other assignments (academic and extracurricular);
- 29 3. Evidence of professional growth as well as specialized or advanced training;

- 1 4. Previous history of grade levels and subject areas taught; and  
2 5. Type, length and quality of service made to the teaching profession and the school system.

3 When a teacher is released because of reduction in staff, the teacher shall be given written notice of  
4 release explaining the circumstances or conditions making dismissal necessary.

#### 5 **Non-Licensed Personnel**

6 When a non-licensed employee is released because of a reduction in the number of support positions,  
7 the Director of Schools shall give the employee written notice of dismissal explaining the circumstances  
8 or conditions making termination of employment necessary. <sup>3</sup>

9 The contract of each non-licensed employee shall contain a statement regarding the reduction in force  
10 policy.

#### 11 **RECALL**

12 The Director of Schools shall maintain a preferred re-employment list for tenured teachers whose  
13 position is abolished.<sup>3</sup> The fitness of any teacher for re-employment shall be determined on the basis of  
14 the teacher's competence, compatibility and suitability to properly discharge the duties required by the  
15 position with consideration for the best interests of the students in the school where the vacancy exists.<sup>2</sup>

16 It shall be the responsibility of the separated teacher to notify the Director of Schools in writing of his/her  
17 availability and current address. A professional employee who is placed on the preferred re-employment  
18 list and subsequently refuses the offer of a comparable position will be removed from the preferred list.<sup>4</sup>

19 Any teacher who has been on the preferred list for re-employment for two (2) consecutive years shall,  
20 by April 1 of the second consecutive year, receive notice that the teacher's name shall be removed from  
21 the list. The Director shall send the notice to the last known address of the teacher. A teacher who wishes  
22 to remain on the preferred list for re-employment after the second year shall notify the Director of  
23 Schools in writing by April 15 of the second year and each subsequent year of his or her desire to remain  
24 on the preferred list for re-employment.<sup>4</sup>

25 Employees returning from layoff shall have all previously accrued sick leave and seniority reinstated,  
26 but shall not receive benefits for the period of the layoff.

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#### Legal References:

1. OP Tenn. Atty. Gen. 93-66 (November 29, 1993)
2. TCA 49-5-409(d); TCA 49-2-301 (b)(1) (EE)
3. TCA 49-5-511(b)(1)
4. TCA 49-5-511(b)(4)

# Cumberland County Board of Education

Monitoring: <b>Review: Annually in April</b>	Descriptor Term: <b>Procedure for Granting Tenure</b>	Descriptor Code: <b>5.117</b>	Issued Date: <b>07/22/21</b>
		Rescinds: <b>5.117</b>	Issued: <b>05/25/17</b>

## 1 **General**

2 To attain tenure,<sup>1</sup> a teacher shall: (1) meet tenure eligibility requirements; (2) be renewed and  
3 recommended by the Director of Schools; and (3) receive a majority vote of the Board.

## 4 **TENURE ELIGIBILITY<sup>2</sup>**

5 A teacher that meets the following requirements is eligible for tenure:

- 6 1. Has a degree from an approved four-year college or any career and technical teacher who has  
7 the equivalent amount of training established and is licensed by the State Board of Education;
- 8 2. Holds a valid teaching license issued by the State Board of Education, based on training  
9 covering the subjects or grades taught;
- 10 3. Has completed a probationary period of five (5) school years or not less than forty-five (45)  
11 months within the last seven-year period with the last two (2) years being employed in a regular  
12 teaching position rather than in the interim position; and
- 13 4. Received evaluations demonstrating an overall performance effectiveness level of “above  
14 expectations” or “significantly above expectations” proved by the evaluation guidelines  
15 adopted by the State Board of Education during the last two (2) years of their probationary  
16 period.

17 If a teacher has met all other requirements for tenure eligibility but has not acquired an official  
18 evaluation score during the last one (1) or two (2) years of the probationary period due to allowable  
19 circumstances outlined in state law, he/she may utilize the most recent two (2) years of available  
20 evaluation scores achieved during the probationary period to become eligible for tenure.<sup>3</sup>

## 21 **ACQUISITION OF TENURE STATUS**

22 Once a teacher is eligible for tenure, he/she shall be either recommended by the Director of Schools for  
23 tenure or nonrenewed. If tenure is denied by the Board, the teacher shall be dismissed.<sup>4</sup>

24 The following additional guidelines shall apply:

- 25
- 26 1. The Director of Schools will recommend persons eligible for tenure at a Board meeting in  
27 ample time to send notice of non-renewal to each teacher not recommended for tenure within  
28 five (5) business days following the last instructional day for the school year.<sup>5</sup>
- 29 2. The decision to grant tenure is solely within the discretion of the Board.<sup>6</sup> Only those teachers  
30 who receive a majority vote of the membership of the Board will be granted tenure.<sup>7</sup>
- 31 3. A teacher who is eligible for tenure, but tenure is denied by the Board, shall not be rehired

1 beyond the current contract year.<sup>4</sup>

## 2 **TEACHER RETURNING TO EMPLOYMENT**

3 A teacher who has attained tenure status in a school district and later resigns shall serve a two (2) year  
4 probationary period upon reemployment unless the probationary period is waived by the Board of  
5 Education upon request of the Director of Schools. Upon completion of the two (2) year probationary  
6 period, the teacher shall be eligible for tenure and shall be either recommended by the Director of Schools  
7 for tenure or non-renewed; If tenure is denied by the Board, the teacher shall be dismissed.<sup>8</sup>

## 8 **TEACHER TRANSFERRING FROM ANOTHER SCHOOL DISTRICT<sup>9</sup>**

9 A tenured or nontenured teacher with five (5) or more years of prior service that transfers from another  
10 school district to begin employment in the Cumberland County School District shall serve the regular  
11 probationary period. The Board, upon the recommendation of the Director of Schools, may waive the  
12 probationary period and grant tenure status or shorten the probationary period.

13 If a nontenured teacher with fewer than five (5) years of service transfers from another school district,  
14 such teacher shall not be eligible for tenure status until the teacher has served at least five (5) years when  
15 service in both school districts is counted.

16 All tenure decisions made under this section are subject to the requirements concerning overall teacher  
17 performance effectiveness levels.

## 18 **TEACHER RETURNING TO PROBATIONARY STATUS<sup>10</sup>**

19 Any tenured teacher who receives two (2) consecutive years of evaluations demonstrating an overall  
20 performance effectiveness level of “below expectations” or “significantly below expectations” shall be  
21 returned to probationary status by the Director of Schools until the teacher has received two (2)  
22 consecutive years of evaluations demonstrating an overall performance effectiveness level of “above  
23 expectations” or “significantly above expectations.”

24 When a teacher who has returned to probationary status has received two (2) consecutive years of  
25 evaluations demonstrating an overall performance effectiveness level of “above expectations” or  
26 “significantly above expectations,” the teacher is again eligible for tenure and shall be either  
27 recommended by the Director of Schools for tenure or nonrenewed; provided, however, that the teacher  
28 shall be dismissed if tenure is denied by the Board.<sup>4</sup>

29 This section does not apply to teachers who acquired tenure prior to July 1, 2011.

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Legal References

1. TCA 49-5-501(11)(A)
2. TCA 49-5-503
3. Public Acts of 2021, Special Legislative Session  
Chapter No. 2
4. TCA 49-5-504(b)
5. TCA 49-5-409(b); Public Acts of 2021, Chapter No.  
378
6. TCA 49-2-203(a)(1)
7. TCA 49-2-202(g)
8. TCA 49-5-504(d)
9. TCA 49-5-509
10. TCA 49-5-504(e), (f)

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Cross References

Separation Practices for Tenured Teachers 5.200  
Separation Practices for Non-Tenured Teachers 5.201

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Separation Practices for Non- Tenured Teachers</b>	Descriptor Code: <b>5.201</b>	Issued Date: <b>09/22/22</b>
		Rescinds: <b>5.201</b>	Issued: <b>10/28/21</b>

## 1 **SUSPENSION PENDING AN INVESTIGATION<sup>1</sup>**

2 The Director of Schools may suspend a non-tenured teacher at any time that may seem necessary,  
3 pending investigation or final disposition of a case before the Board or an appeal. If the matter under  
4 investigation is not the subject of an ongoing criminal investigation or a Department of Children's  
5 Services investigation, and if no charges for dismissal have been made, a suspension pending  
6 investigation shall not exceed ninety (90) days in duration. Under no circumstances shall the Director of  
7 Schools suspend a non-tenured teacher with pay. If vindicated or reinstated, the non-tenured teacher  
8 shall be paid full salary for the period of suspension.

## 9 **SUSPENSION OF THREE DAYS OR LESS<sup>2</sup>**

10 A Director of Schools/designee may suspend a non-tenured teacher for incompetence, inefficiency,  
11 neglect of duty, unprofessional conduct, and insubordination. Before a non-tenured teacher is suspended  
12 he/she shall be: (1) provided with written notice, including the reasons for the suspension along with an  
13 explanation of the evidence; (2) given an opportunity to respond to the Director of Schools at a recorded  
14 conference, if requested within five **5** working days; and (3) given a written decision of the suspension  
15 within ten **10** working days. Both parties may be represented by counsel at the conference, which shall  
16 be recorded.

17 Under no circumstances shall the Director of Schools suspend a non-tenured teacher with pay. If  
18 reinstated, the non-tenured teacher shall be paid full salary for the period of suspension unless suspension  
19 without pay is deemed to be an appropriate penalty.

## 20 **DISMISSAL OR SUSPENSION GREATER THAN THREE DAYS<sup>2</sup>**

21 The Director of Schools may dismiss or suspend for more than three **3** working days any non-tenured  
22 teacher during the contract year for incompetence, inefficiency, insubordination, improper conduct, or  
23 neglect of duty after giving the non-tenured teacher, in writing, due notice of the charges.

24 The Director of Schools shall give the non-tenured teacher an opportunity for a full and complete hearing  
25 before an impartial hearing officer.

26 The Board will appoint an impartial hearing officer to conduct such hearings. The hearing officer will  
27 hear the case and the non-tenured teacher shall have the right to:

- 28 1. Be represented by counsel;
- 29 2. Call and subpoena witnesses;
- 30 3. Examine all witnesses; and
- 31 4. Require that all testimony be given under oath.

1 Factual findings and decisions in all dismissal cases shall be provided in written form and delivered to  
2 the affected non-tenured teacher within ten **10** working days following the close of the hearing. The non-  
3 tenured teacher may appeal the decision to the Board within ten **10** working days of the hearing officer  
4 rendering the written decision to the non-tenured teacher. Written notice of appeal to the Board shall be  
5 given to the Director of Schools. Within twenty **20** working days of receipt of notice, the Director of  
6 School shall prepare a copy of the proceedings including all transcripts, documentary and evidence or  
7 otherwise presented and provide the Board a copy of the same.

8 The Director of Schools shall also have the right to appeal any adverse ruling by the hearing officer in  
9 same manner as the non-tenured teacher.

10 The Board shall hear the appeal. No new evidence shall be introduced. The non-tenured teacher may  
11 appear in person or be represented by counsel and argue why the decision should be modified or reversed.  
12 The Board shall take one of the following actions:

- 13 1. Sustain the decision;
- 14 2. Send the record back if additional evidence is necessary; or
- 15 3. Revise the penalty or reverse the decision.

16 Before any decision to dismiss is made, a majority of the membership of the Board shall concur in  
17 sustaining the charges. The Board shall render a decision on the appeal within ten **10** working days after  
18 the conclusion of the hearing.

19 Within twenty **20** working days after receipt of notice of the decision of the Board, either party may  
20 appeal to the chancery court in the county where the school district is located. The Board shall provide  
21 the entire record of the hearing to the court.

## 22 **NON-RENEWAL**

23 Non-tenured teachers are subject to the same rules and regulations and are entitled to the privileges of  
24 employment enjoyed by tenured teachers except that they have no claim upon continuing employment  
25 or tenure protections.

26 The principal is responsible for discussing deficiencies as part of the evaluation process with the non-  
27 tenured teacher and providing assistance for overcoming these deficiencies.

28 The Director of Schools is under no obligation to re-employ non-tenured teachers at the end of their  
29 contract period. If the Director of Schools determines not to renew the contract of a non-tenured teacher,  
30 the following action shall be taken:

- 31 1. The Board shall be notified at the next regular board meeting; and
- 32 2. Written notice of non-renewal shall be sent to the teacher by certified mail, overnight carrier or  
33 by email within five (5) business days following the last instructional day for the school year.<sup>3</sup> If  
34 the reason for the non-renewal is due only to a loss of funding for the position, then the notice  
35 shall include a statement listing it as the cause for non-renewal.<sup>4</sup>

## 1 RESIGNATION

2 A non-tenured teacher shall give the Director of Schools notice of resignation at least thirty **30** days  
3 before the effective date of the resignation.<sup>5</sup> The Board may waive the thirty **30** days-notice requirement  
4 and permit a non-tenured teacher to resign in good standing.

5 The conditions under which it is permissible to break a contract with the Board are as follows:<sup>6</sup>

- 6 1. The incapacity on the part of the non-tenured teacher to perform the contract as evidenced by the  
7 certified statement of a physician approved by the Board; and
- 8 2. The release by the Board of the non-tenured teacher from the contract, which the non-tenured  
9 teacher has entered into with the Board.

10 Any non-tenured teacher on leave shall notify the Director of Schools in writing at least thirty **30** days  
11 prior to the date of return if the non-tenured teacher does not intend to return to the position from which  
12 he/she has taken leave. Failure to render such notice may be considered a breach of contract.<sup>7</sup>

13 Upon a breach of contract, the Board, upon a motion recorded in its minutes, may file a complaint with  
14 the State Board of Education and request the suspension of a non-tenured teacher's license. After the  
15 State Board of Education has provided the non-tenured teacher an opportunity for defense during a  
16 hearing, the State Board of Education may suspend the license for no less than thirty **30** days and no  
17 more than three hundred sixty-five **365** days.<sup>8</sup>

## 18 RETIREMENT

19 Retirement shall mean a termination of services under conditions, which will allow the non-tenured  
20 teacher to draw benefits from retirement plans and/or Social Security benefits.

21 Non-tenured teachers eligible for retirement benefits may elect to retire at any age according to the  
22 provisions of the retirement system. Central office personnel shall assist non-tenured teachers in  
23 securing retirement benefits; however, it shall be the responsibility of the retiring non-tenured teacher to  
24 provide verification of eligibility in writing from the Tennessee Consolidated Retirement System  
25 (TCRS) to the central office. It shall be the responsibility of the retiring non-tenured teacher to file for  
26 benefits.

27 *(Note: Nonrenewal of non-tenured teachers after the contract year is not suspension or dismissal and*  
28 *does NOT follow the suspension/dismissal guidelines outlined in this policy. Rather, nonrenewal of*  
29 *non-tenured teachers after the contract year follows the nonrenewal guidelines outlined in this policy.)*

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Legal References

1. TCA 49-5-511(a)(3)
2. TCA 49-2-301(b)(1)(EE); TCA 49-5-512
3. TCA 49-5-409
4. Public Acts of 2022, Chapter No, 678
5. TCA 49-5-508
6. TCA 49-5-411(a)
7. TCA 49-5-706
8. TCA 49-5-411(b)

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Cross References

Public Hearings 1.401  
Teacher Tenure 5.117  
Recommendations and File Transfers 5.203

## Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <h3 style="text-align: center;">Short Term Leaves of Absence</h3>	Descriptor Code: <b>5.300</b>	Issued Date: <b>05/25/17</b>
		Rescinds:	Issued:

1 Short-term leaves of absence shall consist of the following: Emergency, legal, sick, personal, and  
 2 professional leave.<sup>1</sup>

### 3 UNAUTHORIZED ABSENCES

4 An employee who is absent from his assigned work location or schedule for three (3) or more days  
 5 without official leave approval from supervisory personnel shall be considered absent without authorized  
 6 leave. In such cases, the Cumberland County School System shall regard the job as abandoned, and it  
 7 will be recommended to the Director of Schools that the employee be terminated, unless he/she can  
 8 provide acceptable and verifiable evidence of extenuating circumstances.

9 Employees who are absent without notice or authorization for less than three (3) days, and who  
 10 subsequently report to work, shall provide a detailed written reason for such absence and, regardless of  
 11 stated reasons, may be subject to disciplinary action, up to and including dismissal.  
 12

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Legal References

1. TRR/MS 0520-1-2-.04(8)

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Cross References

- Emergency & Legal Leave 5.301
- Sick Leave 5.302
- Personal & Professional Leave 5.303
- Vacations and Holidays 5.310

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term:  <b>Sick Leave</b>	Descriptor Code: <b>5.302</b>	Issued Date: <b>04/22/21</b>
		Rescinds: <b>5.302</b>	Issued: <b>05/25/17</b>

## 1 PROFESSIONAL PERSONNEL

2 Sick leave for professional personnel shall accrue at one (1) day for each month employed during the  
3 school year and shall accumulate for an unlimited number of days.<sup>1</sup>

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

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

11 A physician's certificate may be required, on forms furnished by the Board in support of any claim for  
12 sick leave pay. The Supervisor/designee shall notify Human Resources immediately when it is known  
13 that an employee is out more than four (4) consecutive days, for FMLA purposes.

14 The supervisor/designee shall immediately notify the Director of Schools' office if an employee  
15 is absent beyond the limit of his/her sick leave accumulation.

16 Permanent, cumulative sick leave records for each active professional employee shall be kept in  
17 the Director of Schools' office or readily available from the county finance department.

18 Upon employment, an employee has available in advance those sick leave days to be earned in that school  
19 year. However, those days used prior to earning them will be charged against the annual  
20 accumulation. Upon termination of employment before sick leave days are earned, they shall be  
21 deducted from the final pay of the employee an amount to cover the excess sick leave days used and  
22 if such salary is insufficient, the employee shall be liable for reimbursement of any amount in excess  
23 of final leave pay.

24 Upon employment transfer of accumulated sick leave from another Tennessee school district may be  
25 credited when the Director of Schools of the district in which the accumulated leave was held  
26 provides notarized verification<sup>3</sup> of resignation in good standing.<sup>3</sup>

## 1 **SUPPORT PERSONNEL**

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

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

9 A physician's certificate may be required, on forms furnished by the Board in support of any claim for  
 10 sick leave pay. The supervisor/designee shall notify Human Resources immediately when it is known  
 11 that an employee is out more than four (4) consecutive days, for FMLA purposes.

12 The supervisor/designee shall immediately notify the Director of Schools' office if an employee  
 13 is absent beyond the limit of his/her sick leave accumulation.

14 Support personnel shall earn sick leave based on the non-certified schedule of benefits.

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

19 The immediate supervisor may require a physician's certificate stating the reason for absence.

## 20 **SICK LEAVE BANK**

21 Separate sick leave banks shall be available for all professional and support personnel<sup>4</sup> who are  
 22 eligible for accumulated sick leave. Guidelines and procedures for operation are available at the  
 23 Human Resource Office.

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### Legal References

1. TCA 49-5-710(a)(1)
2. TRR/MS 0520-01-02-.04(2)
3. TCA 49-5-710(a)(5)
4. TCA 49-5-811

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### Cross References

Family and Medical Leave 5.305  
 Physical Assault Leave 5.307  
 Workers' Compensation 3/602  
 Short Term Leaves of Absence 5.300

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Long-Term Leave of Absence for Professional Personnel</b>	Descriptor Code: <b>5.304</b>	Issued Date: <b>06/27/19</b>
		Rescinds: <b>5.304</b>	Issued: <b>05/25/17</b>

1 Any person holding a position requiring a license to teach shall be granted leave for military  
2 service, legislative service, maternity, adoption, recuperation of health, or visitation of a spouse,  
3 child, or parent deployed for military duty out of the country who has been granted rest  
4 and recuperation leave. Such personnel may be granted leave for educational improvements,  
5 or other sufficient reasons as determined by the Director of Schools. If granted, such leave shall not  
6 result in the forfeiture of accumulated leave credits, tenure status, or other fringe benefits.<sup>1</sup>

7 All leaves shall be requested in writing at least thirty **30** days in advance on forms provided by  
8 the Director of Schools. The 30-day notice may be waived or reduced by the Director of Schools  
9 upon submission of a certified statement by a physician. The application for leave forms shall  
10 require:

- 11 • A description of the type of leave requested;
- 12 • The requested dates for beginning and ending the leave; and
- 13 • A statement of intent to return to the position from which leave is granted.<sup>1</sup>

14 Each request for leave must be acted upon by the Director of Schools within fifteen **15** days. Each  
15 applicant shall be notified in writing of the action of the Director and the beginning and ending dates  
16 of the leave which is granted.<sup>2</sup> All leaves, except military leave, shall be from a specific date to a  
17 specific date. However, any leave may be extended by the Director of Schools upon written request  
18 from the teacher. Military leave shall be granted for whatever period may be required. The procedure  
19 and condition for extending a leave are the same as those used when originally requesting and  
20 granting the leave.

21 Leave to visit a spouse, child, or parent deployed for military duty out of the country who has been  
22 granted rest and recuperation leave shall be granted for no longer than ten **10** days.<sup>3</sup>

23 Positions vacated for less than twelve **12** months by teachers on leave shall be filled with an interim  
24 teacher while the teacher is on leave. If the teacher returns from leave within 12 months, the interim  
25 teacher shall relinquish the position. If the leave exceeds twelve **12** months, the teacher shall be  
26 placed in the same or a comparable position upon return.<sup>4</sup>

27 Part-time leaves may be granted by the Director of Schools upon written request for the same  
28 conditions as for full-time leave.

1 Any teacher on leave shall notify the Director of Schools at least thirty **30** days prior to the date  
2 of return if the teacher does not intend to return to the position from which he/she is on leave.  
3 Failure to give such notice shall be considered breach of contract.<sup>5</sup>

#### 4 **RESTRICTIONS**

5 The Director may require that a request for leave be supported by certification issued by a health  
6 care provider with the following information:

- 7 • the date on which the serious health condition commenced;
- 8 • the probable duration of the condition;
- 9 • the appropriate medical facts within the knowledge of the health care provider  
10 regarding the condition; and
- 11 • a statement that the eligible employee is needed to care for the son, daughter, spouse, or  
12 parent and an estimate of the amount of time that such employee is needed.

13 If there is any reason to doubt the validity of the certification provided, the Director may require, at  
14 the expense of the school system, an opinion of a second health provider.

#### 15 **PAY AND BENEFITS**

16 All leave granted in conformance with this policy shall be without pay except as may be covered by  
17 sick leave in the case of maternity and recuperative leaves. Employees shall have the opportunity to  
18 continue participation, at their own expense, in group insurance plans subject to restrictions of the  
19 insuring carrier.

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

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#### Legal References

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

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#### Cross References

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

# Cumberland County Board of Education

Monitoring: <b>Date Last Reviewed: 04/08/04</b>	Descriptor Term: <b>Military Leave</b>	Descriptor Code: <b>5.306</b>	Issued Date: <b>04/23/09</b>
		Rescinds: <b>5.306</b>	Issued: <b>03/04/04</b>

1 Employees who are members of any reserve component of the Armed Forces of the United States shall  
2 be granted leave of absence for all periods of military service during which they are engaged in the  
3 performance of duty or training in the service of the state or the United States.<sup>1</sup> Reservists who anticipate  
4 military duty during the school year must give written notice to the Director of Schools, within thirty  
5 (30) days of the beginning of the school year, of the dates of the anticipated duty. While performing  
6 such duty or training, the employee shall be paid his/her regular salary up to a maximum of twenty (20)  
7 working days in any one (1) calendar year, plus such additional days as may result from any call to active  
8 state duty.<sup>2</sup> An employee called to active duty by the governor to enforce the laws of the state shall be  
9 paid his/her regular salary for such time as he/she is engaged in the performance of his/her duty, and any  
10 time spent in active state duty shall not count against the twenty-day period of leave allowed for military  
11 service.<sup>3</sup>

12 Request for leaves and extension of leaves shall conform to state law and board policy governing all  
13 leaves of absence. Failure to comply with applicable laws and policies shall constitute grounds for  
14 dismissal.

15 The employee shall supply a copy of the orders for duty, including the dates of departure and return it to  
16 the Director of Schools prior to, or simultaneous with, requesting leave.

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Legal References:

1. 38 U.S.C.A. § 2024(d)
2. TCA 8-33-109; TCA 49-5-702(a)
3. TCA 58-1-106(d) TCA 58-1-109

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Cross Reference:

Long Term Leaves of Absence 5.304

# Cumberland County Board of Education

Monitoring: <b>Date Last Reviewed: 04/08/04</b>	Descriptor Term: <b>Legislative Leave</b>	Descriptor Code: <b>5.309</b>	Issued Date: <b>03/04/04</b>
		Rescinds: <b>5.309</b>	Issued: <b>02/06/97</b>

1 Certified employees who have been elected to state or local law-making bodies shall be granted  
2 personal leave or leave **without pay** for the time those law-making bodies are in official session or while  
3 attending official meetings outside the session.<sup>1</sup>

4 In addition, certificated employees shall be granted leave to serve on any board or commission of the  
5 state when the appointment is made by the Governor or General Assembly. Such leave shall not be  
6 counted against any other accumulated leave credits. The employee shall notify the principal at least  
7 five (5) days prior to leave being taken.<sup>2</sup>

## 8 *Non-certified Personnel*

9 Legislative leave as described above shall also be granted to non-certified employees.

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### Legal References:

1. TCA 49-5-702; TCA 49-5-713
2. TCA 49-5-205

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### Cross Reference:

Long Term Leaves of Absence 5.304

# Cumberland County Board of Education

Monitoring: <b>Date Last Reviewed: 04/08/04</b>	Descriptor Term: <b>Personnel Health Examinations / Communicable Diseases</b>	Descriptor Code: <b>5.400</b>	Issued Date: <b>04/08/04</b>
		Rescinds: <b>5.400</b>	Issued: <b>02/06/97</b>

- 1 All employees, prior to entering service, shall present a certificate showing a satisfactory health record.<sup>1</sup>  
2 Employees shall inform the Director of Schools whenever they contract a contagious or communicable  
3 disease.
- 4 No employee who has a communicable disease shall perform his/her duties in any location where such  
5 might endanger the health of school children. The Board shall require any employee to submit to a  
6 physical examination by a physician whenever there is reason to believe that the employee has any  
7 communicable disease.<sup>2</sup>
- 8 The Director of Schools shall reassign or suspend any employee who is believed to have a communicable  
9 disease which might endanger the health of children, pending investigation and final disposition of the  
10 case before the Board.<sup>3</sup>
- 11 To assist the Board in making final disposition of the case, the Director of Schools may refer the case to  
12 the County Health Office or other medical experts.
- 13 The Board shall use the written report to determine the employment status of the employee.

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Legal References:

1. TRR/MS 0520-1-3-.08(2)(f)
2. TCA 49-2-203(b)(2); TCA 49-5-710(a)(7); TCA 49-5-404
3. TCA 49-5-511

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Cross References:

Section 504 & ADA Grievance Procedures 1.802  
Suspension/Dismissal 5.200-202

# Cumberland County Board of Education

Monitoring: <b>Date Last Reviewed: 04/08/04</b>	Descriptor Term: <b>Hepatitis B (HBV)</b>	Descriptor Code: <b>5.402</b>	Issued Date: <b>02/06/97</b>
		Rescinds:	Issued:

1 All schools shall provide a sanitary environment and shall establish routines for handling body fluids  
2 that are recommended by appropriate health professionals.<sup>1</sup>

3 All school district personnel shall be advised of routine procedures to follow in handling body fluids.  
4 These procedures shall provide simple and effective precautions against transmission of diseases to  
5 persons potentially exposed to the blood or body fluids of another. These procedures shall be standard  
6 health and safety practices. No distinction shall be made between body fluids from individuals with a  
7 known disease and individuals without symptoms or with an undiagnosed disease.

8 The administration shall develop, in consultation with medical personnel, a regulation to be distributed  
9 to all staff. Training and appropriate supplies shall be available to all personnel including those involved  
10 in transportation and custodial services.

11 In addition to insuring that these health and safety practices are carried out on a districtwide basis, special  
12 emphasis shall be placed in those areas of school district operation that potentially present a greater need  
13 for these precautions.

## 14 CONFIDENTIALITY AND NON-DISCRIMINATION

15 In all instances, district personnel shall respect the individual's right to privacy and treat any medical  
16 diagnosis as confidential information. The Director of Schools shall initiate procedures to insure that all  
17 medical information will be held in strict confidence. Any school staff member who violates  
18 confidentiality shall be subject to appropriate disciplinary measures.

19 Under no circumstances shall information identifying an employee with HBV be released to the public.

## 20 SAFETY

21 Employees who are at high risk of occupational exposure shall be identified and provided with personal  
22 protective equipment, including HBV vaccinations. Employees considered to be at high risk shall  
23 include custodians, school nurses, special education teachers and instructional assistants, playground  
24 supervisors, coaches and physical education teachers.

25 When any employee is known to have been exposed to HBV on the job site, the employee will be notified  
26 immediately by a supervisor, and the Board shall provide vaccinations.

27 The principal will ensure that an accident report is filed for all accidents. The report will include the  
28 employee's name, date of the accident, an explanation of the accident and the care used in treating the  
29 individual. These reports will be kept on file in the principal's office for a minimum of one (1) year.

1 **EDUCATION AND UNIVERSAL PRECAUTIONS**

2 HBV education, including universal precautions on handling blood and other body fluids, will be  
3 provided to all school personnel and volunteers and may include members of the Board.

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Legal References:

1. 29 CFR Part 1910.1030

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Discrimination / Harassment of Employees (Sexual, Racial, Ethnic, Religious)</b>	Descriptor Code: <b>5.500</b>	Issued Date: <b>05/24/18</b>
		Rescinds: <b>5.500</b>	Issued: <b>12/20/12</b>

1 Employees shall be provided a work environment free from sexual, racial, ethnic, and religious  
2 discrimination/harassment. It shall be a violation of this policy for any employee or any student to  
3 discriminate against or harass an employee through disparaging conduct or communication that is sexual,  
4 racial, ethnic, or religious in nature. The following guidelines are set forth to protect employees from  
5 discrimination/harassment.

6 Employee discrimination/harassment will not be tolerated.<sup>1</sup> Discrimination/harassment is defined as  
7 conduct, advances, gestures, or words either written or spoken of a sexual, racial, ethnic, or religious  
8 nature that:

- 9 1. Unreasonably interferes with the individual's work or performance;
- 10 2. Creates an intimidating, hostile, or offensive work environment;
- 11 3. Implies that submission to such conduct is made an explicit or implicit term of employment; or
- 12 4. Implies that submission to or rejection of such conduct will be used as a basis for an employment  
13 decision affecting the harassed employee.

14 Alleged victims of sexual, racial, ethnic, and religious discrimination/harassment shall report these  
15 incidents immediately.<sup>2</sup> This report should be made to the immediate supervisor, except when the  
16 immediate supervisor is the offending party. If the immediate supervisor is the offending party, the report  
17 may be made to the Federal Rights Coordinator or the Director of Schools. Allegations of  
18 discrimination/harassment shall be fully investigated (as set forth in *Complaints*). An oral complaint may  
19 be submitted; however, such complaint must be reduced to writing to ensure a more complete  
20 investigation. The complaint should include the following information:

- 21 1. Identity of the alleged victim and person accused;
- 22 2. Location, date, time, and circumstances surrounding the alleged incident;
- 23 3. Description of what happened;
- 24 4. Identity of witnesses; and
- 25 5. Any other evidence available.

26 The privacy and anonymity of all parties and witnesses to complaints will be respected. However,  
27 because an individual's need for confidentiality must be balanced with obligations to cooperate with  
28 police investigations or legal proceedings, to provide due process to the accused, to conduct a thorough  
29 investigation, or to take necessary action to resolve a complaint, the identity of parties and witnesses  
30 may be disclosed in appropriate circumstances to individuals with a need to know.

31 A substantiated charge against an employee shall result in disciplinary action up to and including  
32 termination. A substantiated charge against a student may result in corrective or disciplinary action up  
33 to and including suspension.

- 1 There will be no retaliation against any person who reports discrimination/harassment or participates in
- 2 an investigation. However, any employee who refuses to cooperate or gives false information during the
- 3 course of any investigation may be subject to disciplinary action. The willful filing of a false report will
- 4 itself be considered harassment and will be treated as such.
  
- 5 An employee disciplined for violation of this policy may appeal the decision by contacting the Federal
- 6 Rights Coordinator or the Director of Schools.

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Legal References

1. 29 CFR §1604.11
2. 20 USCA § 1681

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Cross References

Appeals To & Appearances Before the Board 1.404  
Equal Opportunity Employment 5.104  
Complaints 5.501

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term:  <b>Complaints</b>	Descriptor Code: <b>5.501</b>	Issued Date: <b>01/24/19</b>
		Rescinds: <b>5.501</b>	Issued: <b>08/23/18</b>

## 1 GENERAL

2 It is the policy of the Board to encourage parents and citizens to discuss school problems with school  
3 personnel. However, in order to properly address such problems, it is necessary that such  
4 complaints be produced in writing. Therefore, if any parent or citizen has a complaint, with any  
5 school or school personnel, the principal in charge of such school or school personnel will request  
6 that the complaint be put in writing and shall provide a copy of the complaint policy to the  
7 complainant.

8 Any student or any parent/guardian who is held responsible for the education and welfare of a  
9 student under the provisions of board policy 6.209, may file a written complaint on behalf of the  
10 student. Such complaint shall be filed in the building principal or supervisor's office.

11 In the event the complaint is against an employee, such employee shall be given a copy of the  
12 written complaint and an opportunity to meet with complainant in an effort to resolve the  
13 problem(s).

14 Any matter related to the operation of the school system may be addressed at a board meeting.  
15 However, the Board desires that all matters be settled at the lowest level of responsibility and will  
16 not hear complaints or concerns which have not advanced through the proper administrative  
17 procedure from the point of origin.

## 18 PROCEDURAL REQUIREMENTS

19 Alleged victims of sexual, racial, ethnic and religious discrimination/harassment shall report these  
20 incidents immediately.<sup>1</sup> This report should be made to the immediate supervisor except when the  
21 immediate supervisor is the offending party. If the immediate supervisor is the offending party, the  
22 report may be made to the Federal Rights Coordinator or the Director of Schools. Allegations of  
23 discrimination/harassment shall be fully investigated (as set forth in Discrimination/Harassment of  
24 Employees 5.500). An oral complaint may be submitted; however, such complaint must be reduced  
25 to writing to ensure a more complete investigation.<sup>1</sup>

26 Any written complaints regarding an employee shall be made within twenty (20) business days after  
27 knowledge of the incident is made to any member of the administration by any student or authorized  
28 parent or guardian which may influence evaluation or discipline of the employee.

1 **STEP 1**

2 a. *Meeting with a principal or immediate supervisor*

3 The principal or immediate supervisor shall meet with the employee within five (5) business  
4 days of receiving the written complaint, to apprise the employee of the complaint being filed  
5 and provide the employee with a copy thereof. The employee and the employee's principal or  
6 immediate supervisor shall attempt to resolve the matter immediately.

7  
8 b. *Right to representation*

9 The employee shall have the right to have representation at any meeting or conference  
10 regarding a complaint.

11 **STEP 2:**

12 In the event a complaint is unresolved to the satisfaction of all parties, the employee and/or  
13 complainant may request a conference with the other to attempt to resolve the complaint. If the  
14 complaint remains unresolved after five (5) business days, the complainant may move to Step 3. If  
15 the complaint is unresolved and the complainant refuses to participate in any further proceedings, any  
16 and all references to the complaint shall be removed from the employee's file.

17 **Step 3:**

18 Upon request by the complainant or the employee, the unresolved complaint shall be reviewed by the  
19 building principal or counterpart supervisor in an attempt to resolve the matter to the satisfaction of all  
20 parties concerned. Every attempt should be made to complete this step in two (2) business days.

21 **Step 4:**

22 If the complaint review in Step 3 is not dispositive of the matter, the complainant or the employee  
23 may request in writing that the case record be sent to the Director of Schools, in which case, the  
24 request shall be made within one (1) business day following Step 3. The principal/supervisor shall  
25 deliver the case record to the Director within two (2) business days following the request.

26 **Step 5:**

27 Upon receipt of the case record, the Director of Schools shall confer with all parties within ten (10)  
28 business days. Within five (5)-business days of the meeting, the Director of Schools will provide a  
29 written response to both the complainant and employee in attempts to resolve the complaint.

30 **Step 6:**

31 If the complaint is not resolved at Step Five, or if the Director of Schools fails to provide a written  
32 response within five (5) business days after the Step Five meeting, either party may request a review  
33 by the Board within ten (10) business days after the parties received the written decision, or within ten  
34 (10) business days after the time limits for Step Five have expired. The request shall be made in  
35 writing through the Director of Schools, who shall attach all related documents and forward the

1 request to the Board.

2 ***Step 7:***

3 If the Executive Committee does not approve the request, the Director of School's decision is final,  
4 and the complaint is closed. If the Executive Committee approves the request, the item will be placed  
5 on the next regular board meeting agenda. The Board shall review the case, shall hold a hearing  
6 within thirty (30) days, if requested by the parties, and shall render a written decision within fifteen  
7 (15) business days of the hearing. Copies of the Board's decision shall be sent to the parties and to  
8 the Director of Schools.

9 **APPOINTING COMPLAINT MANAGERS**

10 The Director of Schools shall appoint at least two complaint managers, one of each gender. The  
11 Federal Rights Coordinator may be appointed as a complaint manager. The Director of Schools shall  
12 make available on the district website the names, addresses and phone numbers of the current  
13 complaint managers.

14 *(Note: Title IX regulations require districts to identify the name, address, and telephone number of*  
15 *the person who is responsible for coordinating the district's compliance efforts. A policy should not*  
16 *be adopted with a person's name in it rather the identifying information can be added and amended*  
17 *as necessary)*

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Legal References

1. Age Discrimination Employment Act, 29 USCA § 621 et seq.; Equal Pay Act, 29 USCA § 206(d); Immigration Reform and Control Act, 8 USCA § 1324a et seq.; Americans with Disabilities Act, 42 USCA § 12101 et seq.; Title IX of the Education Amendments, 20 USCA § 1681 et seq.; Rehabilitation Act, 29 USCA § 791 et seq.; Title VII of Civil Rights Act, 42 USCA § 2000e et seq.

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Cross References

Appeals To and Appearances Before the Board 1.404  
Section 504 & ADA Grievance Procedures 1.802  
Equal Opportunity Employment 5.104  
Discrimination/Harassment of Employees 5.500

# Cumberland County Board of Education

Monitoring: <b>Date Last Reviewed: 04/08/04</b>	Descriptor Term: <b>Conflict of Interest</b>	Descriptor Code: <b>5.601</b>	Issued Date: <b>05/06/08</b>
		Rescinds: <b>5.601</b>	Issued: <b>02/06/97</b>

## 1 Administrative Personnel

2 Administrative and supervisory personnel shall have no financial interest, directly or indirectly, in  
3 supplying books, maps, school furniture, or apparatus for the schools or to act as agent for any author,  
4 publisher, bookseller, or dealer in school furniture or apparatus. However, a spouse or family member  
5 of a principal, teacher or other school administrative employee may participate in business transactions  
6 with the school system where a sealed competitive bid system is used, provided that the employee does  
7 not have discretion in the selections of bids or specifications.<sup>1</sup>

8 It shall be a misdemeanor for the Director of Schools to take any other contract under the Board, to  
9 perform any other service for additional compensation, to act as principal or teacher in any school, or to  
10 become the owner of a school warrant other than that allowed for his/her service as Director of Schools  
11 or as secretary to the Board.<sup>2</sup>

## 12 Professional and Support Personnel

13 Employees of the Board will not engage in, or have financial interest in, any activity that raises a  
14 reasonable question of conflict of interest with their duties and responsibilities as members of the school  
15 staff. This includes but is not limited to the following:

- 16 1. School employees may not purchase for sale to students any goods or equipment or render  
17 any service to the school system on a commission basis;<sup>1</sup>
- 18 2. Employees who have patented or copyrighted any device, publication, or other item will not  
19 receive royalties for use of such item in the school system;
- 20 3. Employees will not engage in any type of work where the source of information concerning  
21 a customer, client, or employer originates from information obtained through the school  
22 system;
- 23 4. The Board shall make no purchase of supplies, materials, or equipment from a school system  
24 employee; and
- 25 5. Employees shall not solicit for the purpose of selling instructional supplies, equipment and  
26 reference books in a territory that includes the parents of the children of the school in which  
27 the employee is assigned.
- 28
- 29
- 30
- 31

Legal References:

1. TCA 49-6-2003
2. TCA 49-2-301(c)

Cross References:

- Purchasing 2.805
- Bids and Quotations 2.806
- Purchase Orders and Contracts 2.808
- Employee-Developed Materials 4.405

# Cumberland County Board of Education

Monitoring: <b>Date Last Reviewed: 04/08/04</b>	Descriptor Term: <b>Political Activities</b>	Descriptor Code: <b>5.606</b>	Issued Date: <b>02/06/97</b>
		Rescinds:	Issued:

1 **COMMUNITY ACTIVITIES**

2  
3 Employees have a right to express their views on any issue, but must in each case make clear that the  
4 view expressed is not the official view of the Board or school system.

5 **POLITICAL ACTIVITIES**

6 Employees may, on their own time, campaign for or against any candidate or referendum, but they shall  
7 not use the schools, equipment, materials, classrooms or system position for political forum nor engage  
8 in any political promotion or solicitation during school hours.

9 Any employee who intends to campaign for an elective public office which infringes upon a contracted  
10 agreement shall present a proposed solution to the Board for consideration. The essential element to be  
11 determined by the Board is whether the activities proposed by the employee are consistent with his  
12 services to the school system and the best interests of education.

Cross References:

Board-Community Relations 1.500  
News Releases, News Conferences & Interviews 1.503  
Advertising & Distribution of Materials in Schools 1.806

# Cumberland County Board of Education

Monitoring: <b>Date Last Reviewed: 04/08/04</b>	Descriptor Term: <b>Staff-Student Relations</b>	Descriptor Code: <b>5.610</b>	Issued Date: <b>10/08/02</b>
		Rescinds:	Issued:

1 Staff members shall maintain professional relationships with students at all times and develop  
2 wholesome and constructive relationships with them. Staff members shall be expected to regard each  
3 student as an individual and to accord each student the rights and respect that is due.

4 Staff members shall promote a learning environment that encourages fulfillment of each student's  
5 potential in regard to his/her program, consistent with district goals and with optimal opportunities for  
6 students. This goal may be reached by adapting instruction to individual needs, by:

- 7 1. Insisting on reasonable standards of scholastic accomplishment for all students;
- 8
- 9 2. Creating a positive atmosphere in and out of the classroom;
- 10
- 11 3. Extending courtesy and respect to students; and
- 12
- 13 4. Treating all students with consistent fairness.<sup>1</sup>

14 Staff members shall use good judgment in their relationships with students beyond their work  
15 responsibilities and/or outside the school setting and shall avoid excessive informal and social  
16 involvement with individual students. Any appearance of impropriety shall be avoided. Sexual  
17 relationships between employees and students shall be prohibited.<sup>2</sup>

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#### Legal References:

1. TEA *Code of Ethics of the Education Profession*
2. TCA 39-13-506; TCA 39-13-527

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#### Cross References:

Staff Rights & Responsibilities 5.600  
Ethics 5.611

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term:  <h2 style="text-align: center;">Ethics</h2>	Descriptor Code: <b>5.611</b>	Issued Date: <b>05/24/18</b>
		Rescinds: <b>5.611</b>	Issued: <b>05/23/13</b>

- 1 An effective educational program requires the services of men and women of integrity, high ideals, and  
 2 human understanding. To maintain and promote these essentials, all employees are expected to  
 3 maintain high standards in their school relationships.<sup>1</sup> These standards include the following:
- 4       1. The maintenance of just and courteous professional relationships with students, parents, staff  
 5           members, and others;
  - 6       2. The maintenance of their own efficiency and knowledge of the developments in their fields of  
 7           work;
  - 8       3. The transaction of all official business with the properly designated authorities of the school  
 9           system;
  - 10      4. The establishment of friendly and intelligent cooperation between the community and the  
 11          school system;
  - 12      5. The representation of the school system on all occasions that the contributions of the school  
 13          system to the community are recognized;
  - 14      6. The welfare of children as the first concern of the school system when placing professional  
 15          personnel. The use of pressure on school officials for appointments or transfers is unethical;
  - 16      7. Restraint from using school contacts and privileges to promote partisan politics, sectarian  
 17          religious views, or selfish propaganda of any kind;
  - 18      8. The responsibility to make any criticism of other staff members or of the school system directly  
 19          to the particular school administrator who has the administrative responsibility for improving  
 20          the situation and then to the Director of Schools, if necessary;
  - 21      9. The proper use and protection of all school properties, equipment, and materials; and
  - 22      10. Employees shall not use email, school email, or other school communication system to  
 23          distribute harassing, defaming, or otherwise damaging material regarding any school Board  
 24          member or its employees.

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Legal References

1. TCA 49-5-501(3)(D); TCA 49-5-1003, 1004

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Cross References

Staff-Student Relations 5.610

# Cumberland County Board of Education

Monitoring: <b>Date Last Reviewed: 04/08/04</b>	Descriptor Term: <b>Interim Employees</b>	Descriptor Code: <b>5.700</b>	Issued Date: <b>05/23/13</b>
		Rescinds: <b>5.700</b>	Issued: <b>11/02/06</b>

- 1 Employees shall be hired on an interim contract only when a vacancy is created by an employee taking  
2 a leave of absence as set forth in TCA 49-5-702. Such interim employees shall be considered as  
3 temporary replacements for the remainder of the school year and the contract term will not be considered  
4 as initial employment.
- 5 Said positions will be filled at the discretion of the Director of Schools in such a manner as to cause the  
6 least disruption in the educational process for students and as quickly as possible to ensure a continuous  
7 function of the position.
- 8 Persons filling any temporary positions shall have no expectancy of continued employment under TCA  
9 49-5-409 or any other, but such person shall be considered for employment in filling vacancies as  
10 specified in the section dealing with initial employment.

# Cumberland County Board of Education

Monitoring: <b>Date Last Reviewed: 04/08/04</b>	Descriptor Term: <b>Student Teachers</b>	Descriptor Code: <b>5.702</b>	Issued Date: <b>02/06/97</b>
		Rescinds:	Issued:

- 1 Student teachers shall be accepted or refused by either the principal or the cooperating teacher.
- 2 Student teachers will be expected to observe all rules and regulations established by the Board.
- 3 A student teacher shall be accorded the same protection of the laws as a certified teacher and shall comply  
4 with all rules and regulations of the Board and observe all duties of teachers as set forth in state statute.<sup>1</sup>
- 5 In addition, student teachers shall be required to fulfill all normal local responsibilities, both school and  
6 extracurricular, and shall familiarize themselves with the policies of the Board and the school.
- 7 No classroom student shall have more than one (1) student teacher per year in a given subject. Any  
8 exception to this policy must have prior approval from the Director of Schools.
- 9 The evaluation of a student teacher shall be based upon a joint agreement between the cooperating  
10 teacher and the student's supervising teacher.
- 11 A student teacher may be asked to terminate his/her service upon the mutual consent of the principal,  
12 the cooperating teacher and the supervising teacher at any time during the term.

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Legal Reference:

1. TCA 49-5-403 (a); TCA 49-5-201; TRR/MS 0520-2-3-.11(3)

# Cumberland County Board of Education

Monitoring: <b>Date Last Reviewed: 04/08/04</b>	Descriptor Term: <b>Director of Schools</b>	Descriptor Code: <b>5.800</b>	Issued Date: <b>10/08/02</b>
		Rescinds: <b>5.119</b>	Issued: <b>02/06/97</b>

1 The Director of Schools shall be the Chief Executive Officer of the school system and shall have, under  
2 the direction of the Board, general supervision of all the public schools, personnel, and departments of  
3 the school system. The Director of Schools is responsible for the management of the schools under the  
4 Board's policies and is accountable to the Board.

5 The Director of Schools, at his/her discretion, may delegate any of his/her duties to other school  
6 personnel.

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Legal Reference:

1. TCA 49-2-301(a)

# Cumberland County Board of Education

Monitoring: <b>Date Last Reviewed:</b> 04/08/04	Descriptor Term:  <b>Director of Schools Recruitment and Selection</b>	Descriptor Code: <b>5.801</b>	Issued Date: <b>06/25/15</b>
		Rescinds: <b>5.801</b>	Issued: <b>05/21/09</b>

1 When a vacancy occurs, the appointment of a Director of Schools is a function of the Board.<sup>1</sup> The Board  
2 is responsible for finding the person it believes can most effectively translate into action the policies of  
3 the Board and the goals of the community and the professional staff.

4 The Board may employ a consultant to advise and assist the Board in the search and selection process.  
5 However, final selection shall rest with the Board after a thorough consideration of qualified applicants.  
6 An interim Director of Schools appointed during the time of a search shall not become a candidate unless  
7 the Board expressly permits such inclusion in the selection procedures. A board member may not apply  
8 for or in any other way be considered for the position of Director of Schools.<sup>2</sup>

9 Prior to conducting a search to fill the position, the Board shall initially develop the following:<sup>3</sup>

- 10 • A job description
- 11 • A timeline
- 12 • A process for accepting and reviewing applications
- 13 • Selection procedures which shall include, but not be limited to, the following:

- 14 1. The Board may invite the community, including board employees, to participate in the  
15 process of selecting a Director of Schools. Resumes of persons interviewed by the Board  
16 shall be available in the central office for public inspection.
- 17
- 18 2. The interview process for each finalist shall include meetings with various staff and  
19 community groups and an interview with the entire Board if possible.
- 20
- 21 3. Candidates shall be interviewed by the Board in an open session. Only board members will  
22 be allowed to ask questions during the interview.
- 23
- 24 4. The Board will attempt to select a Director by unanimous vote, but a majority vote of the  
25 membership of the board shall be required for the appointment of a Director of Schools.

26 **TCA 49-2-202(g) states the following:**

27 A majority of all of the members constituting the Board, and not merely a majority of the quorum,  
28 shall be required to transact all business coming before the Board in regular or special meeting.

Legal References:

1. TCA 49-2-203 (a)(15)(A)
2. TCA 49-2-203 (a)(1)(D)
3. TCA 49-2-203 (a)(15)(F)

# Cumberland County Board of Education

Monitoring: <b>Date Last Reviewed: 04/08/04</b>	Descriptor Term: <b>Teacher Effect Data</b>	Descriptor Code: <b>5.1141</b>	Issued Date: <b>12/05/19</b>
		Rescinds: <b>5.1141</b>	Issued: <b>04/03/08</b>

- 1 The estimates of specific teacher effects on the educational progress of students shall not be a public  
2 record and shall be made available only to the specific teacher, school board members, and the teacher's  
3 appropriate administrators, as designated by the Board, for the fulfillment of lawful functions.<sup>1</sup>
  
- 4 The guidelines for distribution and security of the teacher effect data shall be kept on file in the Central  
5 Office and shall be given to the teacher, the assigned administrator, and all school board members and  
6 shall become an administrative procedure to be updated as needed by the Director of Schools.

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#### Legal References

1. TCA 49-1-606(b); TCA 10-7-504(a)(23)

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term:  <b>Grievances</b>	Descriptor Code: <b>5.5011</b>	Issued Date: <b>07/26/18</b>
		Rescinds: <b>5.5011</b>	Issued: <b>04/26/18</b>

1 The time limitations listed herein are intended to expediate the processing of all grievances. Said time  
2 limitations may be extended by mutual agreement of the parties.

### 3 **PROCEDURAL REQUIREMENTS**

4 **STEP 1:** The employee or the association may present the grievance in writing to the affected  
5 employee's immediate supervisor. The written grievance shall contain the following: Name and  
6 position of grievant; a statement of the grievance and the facts involved, including relevant dates; a  
7 reference to the applicable provision of the contract; the corrective action being requested; and the  
8 signature of grievant.

9  
10 The grievant's immediate supervisor shall arrange for a meeting to take place within ten (10) business  
11 days after receipt of the written grievance. The grievant, his/her association representative (if the  
12 grievant chooses to have such representative present), and the grievant's immediate supervisor shall be  
13 present for the meeting. Within ten (10) business days of the meeting, the grievant's immediate  
14 supervisor shall issue a written response to the employee.

15  
16 No grievance shall be recognized by the Board unless it has been presented to the appropriate level, in  
17 writing, within forty (40) days after the aggrieved person knew, or should have known, of the act or  
18 condition on which the grievance is based, and if not so presented. The grievance shall be considered  
19 as waived.

20 **Step 2:** If the grievance is not resolved at Step One, then the grievant may, within ten (10) business  
21 days of receiving the supervisor's written response, refer the grievance to the Director of Schools.  
22 This shall be accomplished by delivering to the Director of Schools copies of the original grievance,  
23 and the supervisor's response, along with a letter requesting initiation of Step Two of the grievance  
24 procedure. The Director of Schools shall arrange for a meeting to take place within ten (10) business  
25 days. The grievant and his/her immediate supervisor will have the right to attend this meeting, with or  
26 without representation, and present such witnesses and evidence as each deems necessary. The  
27 Director of Schools shall issue a written response within ten (10) business days after the Step Two  
28 meeting.

1 **Step 3:** If the grievance is not resolved at Step Two, or if the Director of Schools fails to provide a  
2 written response within ten (10) business days after the Step Two meeting, the grievant may request a  
3 review by the Board within ten (10) business days after the grievant received the written decision, or  
4 within ten (10) business days after the time limits for Step Two have expired. The request shall be  
5 made in writing through the Director of Schools, who shall attach all related documents and forward  
6 the request to the Board. The Board shall review the case, shall hold a hearing, within thirty (30) days,  
7 if requested by the grievant, and shall render a written decision within fifteen (15) business days of the  
8 hearing. Copies of the Board's decision shall be sent to the grievant and to the Director of Schools.

9 **REPRESENTATION:** The Board acknowledges the right of the association's grievance representative  
10 to participate in the processing of a grievance at any grievance level, and no employee shall be  
11 required to discuss any grievance when the association's representative is not present.

12 **FILING OF MATERIALS:** All documents, communications and records dealing with the process of  
13 a grievance, shall be filed separately from the personnel files of the participants and shall not be  
14 forwarded to any prospective employer of the grievant, nor shall such documents be revealed or the  
15 grievance be alluded to in any communication between the administration and any prospective  
16 employer.

17 **NO REPRISALS:** No reprisals shall be taken against an employee because of his/her participation in a  
18 grievance.

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term:  <b>Student Goals</b>	Descriptor Code: <b>6.100</b>	Issued Date: <b>04/23/20</b>
		Rescinds: <b>6.100</b>	Issued: <b>02/06/97</b>

1 In order to establish an environment conducive to learning for each student, the Board establishes the  
2 following goals:

- 3 1. To assure all students the same educational opportunities regardless of race, color, creed, religion,  
4 ethnic origin, sex, or disabilities; <sup>1</sup>  
5  
6 2. To protect and observe the legal rights of students;  
7  
8 3. To educate all students in a respectful and encouraging environment;  
9  
10 4. To promote faithful attendance and diligent effort;  
11  
12 5. To provide an environment where students can learn personal and civic responsibility for their  
13 actions through meaningful experiences as school citizens;  
14  
15 6. To discipline students in a fair and constructive manner; and  
16  
17 7. To provide for the safety, health and welfare of students.

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Legal Reference:

1. 20 U.S.C. § 1703; TCA 49-6-3109

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Cross References:

School District Goals 1.700  
Instructional Goals 4.100  
Student Discrimination/Harassment, Bullying,  
Cyberbullying and Intimidation 6.304

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Home Schools</b>	Descriptor Code: <b>6.202</b>	Issued Date: <b>07/22/21</b>
		Rescinds: <b>6.202</b>	Issued: <b>08/27/20</b>

1 A "home school" is a school conducted or directed by a parent or parents or legal guardian or guardians  
2 for their own children. Home schools which teach K-12 where the parents/guardians are associated with  
3 an organization that conducts church-related schools<sup>1</sup> are exempt from the following provisions but must  
4 follow procedures issued by the State Department of Education.

5 A parent/guardian wishing to conduct a home school shall meet the following requirements:<sup>2</sup>

- 6 1. Submit a copy of the student's birth certificate or officially acceptable evidence of date of  
7 birth;
- 8 2. Submit evidence of legal guardianship;
- 9 3. Submit evidence of residency in Cumberland County;
- 10 4. Submit evidence of the parent or legal guardian's high school diploma or GED, or HiSET  
11 in order to conduct classes;<sup>4</sup>
- 12 5. Submit proof to the Director of Schools/designee that the home school student has been  
13 vaccinated as required by state law;<sup>5</sup>
- 14 6. Submit to the Director of Schools/designee that other health services and examinations as  
15 required by law have been received by the home school student;<sup>5</sup>
- 16 7. Provide notice to the Director of Schools/designee before the commencement of each  
17 school year of the intent to conduct a home school;
- 18 8. Submit to the Director of Schools/designee the name, number, age, grade level of children  
19 involved, location of the school, curriculum to be offered, proposed hours of instruction,  
20 qualifications of the parent/teacher;
- 21 9. Maintain attendance records, subject to inspection of the local Director of  
22 Schools/designee;
- 23 10. Submit attendance records to the Director of Schools/designee at the end of each school  
24 year;
- 25 11. Provide instruction for at least four (4) hours per day for the same number of instructional  
26 days as is required by state law for public schools;<sup>3</sup>
- 27
- 28
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- 34
- 35
- 36

- 1 12. Cooperate in the administration to home school students of appropriate tests by the  
2 Commissioner of Education, his/her designee or by a professional testing service in grades  
3 five (5), seven (7) and nine (9);  
4
- 5 13. Take action according to state law if home school student falls behind appropriate grade  
6 level;  
7
- 8 14. In the event of illness or inadequacy of the home school parent/teacher to teach a specific  
9 subject, employ a tutor having the same qualifications as required of parent/teacher; and  
10
- 11 15. In the event of a change of residency or contact information, parents shall notify  
12 Cumberland County Schools.

13 If one or more of these requirements are not met, the Board authorizes the Director of Schools/designee  
14 to take formal action to bring the child into compliance with the Compulsory Attendance Law (until the  
15 child has reached age 18), either in the home school or in a public, private, or church-related school.  
16

#### 17 **FACILITIES USE**

18 It shall be the policy of this Board that public school facilities shall be available for home school  
19 instruction only when *all* of the following conditions exist:

- 20 1. Special needs courses are being taught which require services unavailable to the home school  
21 student;  
22
- 23 2. These services cannot be provided through any means other than the public schools;  
24
- 25 3. Requests for services are made known by the home school parent when notice is given to the  
26 Director of Schools/designee of the intent to conduct a home school;  
27
- 28 4. The Director of Schools/designee investigates request and make recommendations to the  
29 Board;  
30
- 31 5. No overcrowding, additional expenses, including providing transportation, or other special  
32 situations which interfere with the normal operation of the school system shall be incurred; and  
33
- 34 6. Approval by the Board on a case-by-case basis.

#### 35 **RECORD ACCESS**

36 The Director of Schools, through the Attendance Supervisor, shall have the attendance records of the  
37 home school inspected at least two (2) times each school year in order to provide assistance in  
38 implementing the Compulsory Attendance Law.

## STUDENT PERFORMANCE<sup>6</sup>

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

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### Legal References

1. TCA 49-50-801(a)
2. TCA 49-6-3050(b)
3. TCA 49-6-3004(a)
4. Public Acts of 2021, Chapter No. 493
5. TCA 49-6-5001
6. TCA 49-6-3050(b)(6)

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### Cross References

Compulsory Attendance Ages 6.201

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term:  <h2 style="text-align: center;">Withdrawals</h2>	Descriptor Code: <b>6.207</b>	Issued Date: <b>01/25/18</b>
		Rescinds: <b>6.207</b>	Issued: <b>02/06/97</b>

- 1 Students/Parents shall notify the student’s teacher(s) and /or principal when it is known that they will
- 2 be withdrawing from school.
  
- 3 If a student drops a class or withdraws from school during a grading period, each teacher will record
- 4 on the withdrawal form, grade sheet, and permanent record the grade attained as of the date of
- 5 withdrawal.
  
- 6 The principal will ensure that all information is completed on a student’s records before a transcript is
- 7 sent to another school.

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Cross References

Student Records 6.600

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Release During School Hours</b>	Descriptor Code: <b>6.208</b>	Issued Date: <b>05/26/11</b>
		Rescinds: <b>6.208</b>	Issued: <b>02/06/97</b>

1 The following procedure will be observed with regard to dismissal of students during school hours:

- 2 1. No student will leave school prior to regular dismissal hours, except with the approval of the  
3 principal or his/her designee, and parent. Elementary students will be permitted to leave school  
4 prior to regular dismissal time only in the company of a parent, legal guardian, school employee,  
5 police officer, court officer, or a person designated in writing by the parent(s).  
6
- 7 2. No student will be sent from the school during school hours to perform an errand or act as a  
8 messenger.  
9
- 10 3. When dental and medical appointments cannot be scheduled outside school hours, parent(s) must  
11 send a written request for dismissal or call for the student in person.  
12
- 13 4. Children will be released during school hours only upon the request of a parent whom the court  
14 holds directly responsible for the child, or who is a parent or guardian registered on the school  
15 record.  
16
- 17 5. No principal or teacher shall permit a change in the physical custody of a child at school unless:  
18
  - 19 (a) The person seeking custody of the child presents the school official with a certified copy of  
20 a valid court order from a Tennessee court designating the person who has custody of the  
21 child; and
  - 22 (b) The person seeking custody gives the school official reasonable advance notice of his/her  
23 intent to take custody of the child at school.<sup>2</sup>  
24
- 25 6. High school students may be released for jobs and approved training at centers outside their home  
26 schools under regulations approved by the Board.<sup>1</sup>  
27

28 The principal shall report to the Director of Schools the number of such exempted students by grade  
29 during the first month of each semester.

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Legal References:

1. TRR/MS 0520-1-7-.03
2. TCA 36-6-105

# Cumberland County Board of Education

<b>Review: Annually in April</b>	Descriptor Term: <b>Child Custody/Parental Access</b>	Descriptor Code: <b>6.209</b>	Issued Date: <b>02/28/19</b>
		Rescinds: <b>6.209</b>	Issued: <b>05/26/11</b>

1 Any parent shall have the right to receive information contained in school records concerning their minor  
2 child.<sup>1</sup> Unless a court orders otherwise, there are no restrictions regarding a parent's right to be kept  
3 informed of his or her child's progress and activities, regardless of whether or not that parent has custody  
4 of the child. It shall be the responsibility of any parent wishing to restrict another parent's access to such  
5 information, to submit a certified copy of any court order restricting another parent's access to this  
6 information to the school's principal.

7 Otherwise, any parent, upon request, shall be given access to all the student's educational records  
8 including but not limited to the student's cumulative file and the student's special education file, if  
9 applicable.<sup>2</sup>

10 Unless a court orders otherwise, a mother and legal father are jointly and individually responsible for the  
11 student's education and welfare and access to the student by either parent shall be equal in all respects.

12 For purpose of this policy the term "parent" refers to a mother, legal father or legal guardian. A legal  
13 father is a father who:

- 14 1. Is on the child's birth certificate and married to the child's mother; or
- 15 16 2. Is divorced from the child's mother with an Order acknowledging that he is the father of the  
17 child; or
- 18 19 3. Is otherwise acknowledged (Ordered) by a Court as the father of the child.<sup>4</sup>  
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#### Legal References

1. 20 USCA § 1232g(a)(1)(A)
2. TCA 49-6-902
3. TCA 36-6-105
4. TCA 36-2-303

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#### Cross References

Student Records 6.600-604

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Procedural Due Process</b>	Descriptor Code: <b>6.302</b>	Issued Date: <b>04/23/20</b>
		Rescinds: <b>6.302</b>	Issued: <b>02/06/97</b>

- 1 Before school authorities administer disciplinary measures, reasonable inquiry shall be made about the  
2 circumstances surrounding what happened.<sup>1</sup> The nature of this inquiry will vary in degree with the  
3 seriousness of the offense and the consequence.
- 4 For minor offenses where corrective measures are taken by the classroom teacher, no formal procedure  
5 is required. An inquiry will be made to ensure that the offender is accurately identified, that he/she  
6 understands the nature of the offense, and the consequences of the offense for which he/she is accused.
- 7 In case of offenses where the disciplinary sanctions may include suspension, the student shall be advised  
8 of the nature of his/her misconduct, questioned about it, and allowed to give an explanation<sup>2</sup>.
- 9 If a student is suspended for more than ten (10) days he/she shall receive notice of the right to appeal to  
10 the Disciplinary Hearing Authority.<sup>3</sup>

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#### Legal References:

1. *Ingraham v. Wright*, 430 U.S. 651 (1977)
2. *Goss v. Lopez*, 419 U.S. 565, (1975)
3. TCA 49-6-3401(c)(4)(A)-B

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#### Cross References:

Interrogations and Searches 6.303  
Code of Conduct 6.300  
Disciplinary Hearing Authority 6.317  
Suspension/Expulsion/Remand 6.316

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Interrogations and Searches</b>	Descriptor Code: <b>6.303</b>	Issued Date: <b>02/25/21</b>
		Rescinds: <b>6.303</b>	Issued: <b>06/26/08</b>

## 1 INTERROGATIONS BY SCHOOL PERSONNEL

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

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

## 9 INTERROGATIONS BY POLICE AT PRINCIPAL'S REQUEST

10 If the principal has requested assistance by law enforcement to investigate a crime involving his/her  
11 school, the police may interrogate a student suspect in school during school hours. The principal shall  
12 first attempt to notify the parent(s)/guardian(s) of the student unless circumstances require otherwise.  
13 However, the interrogation may proceed without attendance of the parent(s)/guardian(s) but the principal  
14 or his/her designee shall be present during the interrogation.<sup>1</sup>

## 15 POLICE-INITIATED INTERROGATIONS

16 If the police deem circumstances of sufficient urgency to interrogate students at school for unrelated  
17 crimes committed outside of school hours, the police department shall first contact the principal  
18 regarding the planned interrogation and inform him/her of the probable cause to investigate. The  
19 principal shall make reasonable effort to notify the parent(s)/guardian(s) of the interrogation unless  
20 circumstances require otherwise. The interrogation may proceed without attendance of the  
21 parent(s)/guardian(s), but the principal or his/her designee shall be present during the interrogation.

## 22 SEARCHES BY SCHOOL PERSONNEL

23 In order to ensure a safe and secured learning environment, the Director of Schools shall develop  
24 procedures regarding the searching of students, lockers, vehicles and containers which are consistent  
25 with state law. The Director of Schools shall develop additional procedures to ensure compliance with  
26 all of the provisions of the School Security Act of 1981.<sup>1,2</sup>

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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)

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Cross References

Traffic and Parking Controls 3.403  
Procedural Due Process 6.302  
Reporting Child Abuse 6.409

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Student Discrimination, Harassment, Bullying, Cyber-bullying and Intimidation</b>	Descriptor Code: <b>6.304</b>	Issued Date: <b>09/24/20</b>
		Rescinds: <b>6.304</b>	Issued: <b>02/22/18</b>

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

5 This policy shall be disseminated annually to all school staff, students, and parents/guardians<sup>2</sup>. This  
6 policy shall cover employees, employees' behaviors, students and students' behaviors while on school  
7 property, at any school-sponsored activity, on school-provided equipment or transportation, or at any  
8 official school bus stop. If the act takes place off school property or outside of a school-sponsored  
9 activity, this policy is in effect if the conduct is directed specifically at a student or students and has the  
10 effect of creating a hostile educational environment or otherwise creating a substantial disruption to the  
11 education environment or learning process.

12 Building administrators are responsible for educating and training their respective staff and students as  
13 to the definition and recognition of discrimination/harassment.<sup>3</sup>

14 The Director of Schools shall develop forms and procedures to ensure compliance with the  
15 requirements of this policy and state law.

## 16 **DEFINITIONS<sup>4</sup>**

17 Bullying is defined as unwanted, aggressive behavior that involves a real or perceived power  
18 imbalance. The behavior is repeated, or has the potential to be repeated, over time. The imbalance of  
19 power involves the use of physical strength, access to embarrassing information, or popularity to  
20 control or harm others.

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

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

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

4 Hazing - An intentional or reckless act by a student or group of students that is directed against any other  
5 student(s) that endangers the mental or physical health or safety of the student(s) or that induces or  
6 coerces a student to endanger his/her mental or physical health or safety. Coaches and other employees  
7 of the school district shall not encourage, permit, condone or tolerate hazing activities.<sup>5</sup>

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

## 11 **COMPLAINTS AND INVESTIGATIONS**

12 Any individual who has knowledge that may constitute a violation of this policy shall promptly report  
13 such behavior to the principal/designee.<sup>6</sup>

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

19 The principal/designee at each school shall be responsible for investigating and resolving complaints.  
20 Once a complaint is received, the principal/designee shall initiate an investigation within forty-eight (48)  
21 hours of receipt of the report. If an investigation is not initiated within forty-eight (48) hours, the  
22 principal/designee shall provide the Director of Schools with appropriate documentation detailing the  
23 reasons why the investigation was not initiated within the required timeframe.<sup>7</sup>

24 The principal/designee shall notify the parent/legal guardian when a student is involved in an act of  
25 discrimination, harassment, intimidation, bullying, or cyber-bullying. The principal/designee shall  
26 provide information on district counseling and support services. Students involved in an act of  
27 discrimination, harassment, intimidation, bullying, or cyber-bullying shall be referred to the appropriate  
28 school counselor by the principal/designee when deemed necessary.<sup>8</sup>

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

- 31 • It places the student in reasonable fear or harm for the student’s person or property;
- 32
- 33 • It has a substantially detrimental effect on the student’s physical or mental health;
- 34
- 35 • It has the effect of substantially interfering with the student’s academic performance; or
- 36
- 37 • It has the effect of substantially interfering with the student’s ability to participate in or
- 38 benefit from the services, activities, or privileges provided by a school.

1 Upon the determination of a violation, the principal/designee shall conduct a prompt, thorough, and  
2 complete investigation of each alleged incident. All investigations shall be completed and appropriate  
3 intervention taken within twenty (20) calendar days from the receipt of the initial report.<sup>7</sup> If the  
4 investigation is not complete or intervention has not taken place within twenty (20) calendar days, the  
5 principal/designee shall provide the Director of Schools with appropriate documentation detailing the  
6 reasons why the investigation has not been completed or the appropriate intervention has not taken  
7 place.<sup>4</sup> Within the parameters of the federal Family Educational Rights and Privacy Act (FERPA) at 20  
8 U.S.C. § 1232g,<sup>9</sup> a written report on the investigation will be delivered to all involved parties and to the  
9 Director of Schools.

## 10 **RESPONSE AND PREVENTION**<sup>10</sup>

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

14 A substantiated charge against an employee shall result in disciplinary action up to and including  
15 termination. The employee may appeal this decision by contacting the Federal Rights Coordinator.

16 A substantiated charge against a student may result in corrective or disciplinary action up to and  
17 including suspension. The student may appeal this decision in accordance with disciplinary policies and  
18 procedures.

## 19 **REPORTS**

20 When a complaint is filed alleging a violation of this policy where there is physical harm or the threat of  
21 physical harm to a student or a student's property, the principal/designee of each middle school, junior  
22 high school, or high school shall report the findings and any disciplinary actions taken to the Director of  
23 Schools and the Chair of the board of education.<sup>11</sup>

24 By July 1 of each year, the Director of Schools/designee shall prepare a report of all of the bullying cases  
25 brought to the attention of school officials during the prior academic year. The report shall also indicate  
26 how the cases were resolved and/or the reasons they are still pending. This report shall be presented to  
27 the board of education at its regular July meeting, and it shall be submitted to the State Department of  
28 Education by August 1.<sup>12</sup>

## 29 **RETALIATION AND FALSE ACCUSATIONS**

30 Retaliation against any person who reports or assists in any investigation of an act alleged in this policy  
31 is prohibited. The consequences and appropriate remedial action for a person who engages in retaliation  
32 shall be determined by the administrator after consideration of the nature, severity, and circumstances of  
33 the act.<sup>13</sup>

34 False accusations accusing another person of having committed an act prohibited under this policy are  
35 prohibited. The consequences and appropriate remedial action for a person found to have falsely accused  
36 another may range from positive behavioral interventions up to and including suspension and  
37 expulsion.<sup>14</sup>

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**Legal References**

1. TCA 49-6-4503(a), (b)(3); 20 USCA §§ 1681 to 1686
2. TCA 49-6-4503(b)(11)
3. TCA 49-6-4503(b)(12)
4. TCA 49-6-4503(b)(2), (13)
5. TCA 49-2-120
6. TCA 49-6-4503(b)(5)
7. TCA 49-6-4503(b)(6)
8. TCA 49-6-4503(b)(14)
9. 20 USCA § 1232g
10. TCA 49-6-4503(b)(4), (7)-(8)
11. TCA 49-6-4503(d)(3)
12. TCA 49-6-4503(c)(2)(B)
13. TCA 49-6-4503(b)(9)
14. TCA 49-6-4503(b)(10)

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**Cross References**

Appeals to and Appearances Before the Board 1.404  
Section 504 and ADA Grievance Procedures 1.802  
Staff-Student Relations 5.610  
Student Goals 6.100  
Code of Behavior and Discipline 6.300  
Student Complaints and Grievances 6.305  
Child Abuse and Neglect 6.409  
Student Suicide Prevention 6.415

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Interference/Disruption of School Activities</b>	Descriptor Code: <b>6.306</b>	Issued Date: <b>07/22/21</b>
		Rescinds: <b>6.306</b>	Issued: <b>04/23/20</b>

## 1 **General**

2 A student shall not engage in conduct which causes the disruption or interference with the operation of  
3 the school while on school property, in school vehicles or buses, or at school-sponsored events,  
4 whether on or off campus. The student shall not urge other students to engage in such conduct.

5 Employees are authorized to take reasonable measures to establish appropriate school behavior and  
6 have the authority to control the conduct of any student while under the supervision of the school  
7 district.<sup>1</sup>

8 A student may receive disciplinary action ranging from verbal reprimand to suspension and/or  
9 expulsion depending on the severity of the offense and the student's prior record.<sup>2</sup>

## 10 **REMOVAL OF STUDENT<sup>3</sup>**

11 If a student repeatedly or substantially interferes with the learning environment, the teacher may  
12 submit a written request along with the required documentation to the principal/designee to remove the  
13 student from the teacher's classroom. The student will be given notice of the rationale for the request  
14 as well as the opportunity to offer an explanation.

15 The principal/designee will investigate the request and make a decision regarding the student's  
16 placement and the principal will notify the teacher of that decision.

17 If a teacher abuses or overuses the student removal process, the principal/designee shall address the  
18 abuse or overuse with the teacher and may require the teacher to complete additional professional  
19 development to improve the teacher's classroom management skills.

## 20 **Appeal Process**

21 If the teacher's request for removal is denied, the teacher may file an appeal with the Director of  
22 Schools/designee. The Director of Schools/designee will review the teacher's request for removal as  
23 well as the decision of the principal/designee and make a determination as to the student's placement.

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Legal References

1. TCA 49-6-4102
2. TCA 49-6-3401
3. Public Acts of 2021, Chapter No. 77

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Cross References

- Code of Conduct 6.300
- Suspension 6.316
- Safe Relocation of Students 6.4081

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Drug-Free Schools</b>	Descriptor Code: <b>6.307</b>	Issued Date: <b>01/26/23</b>
		Rescinds: <b>6.307</b>	Issued: <b>12/05/02</b>

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

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

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

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

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

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

27 School disciplinary sanctions will be imposed on students who consume, possess, use, sell, distribute or  
28 are under the influence of any non-prescribed drug or intoxicating substance. Such substances may  
29 include but are not limited to THC, HHC, or any type of intoxicating substance. Violation of this policy  
30 may include suspension for up to one calendar year.

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

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**Legal References**

1. TRR/MS 0520-01-13-.01(1)(e)
2. TCA 55-10-701 *et seq.*; 20 USCA § 7116
3. TCA 39-17-715; TCA 39-17-432
4. TCA 49-6-3401; TCA 49-6-4209

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**Cross References**

Alcohol & Drugs in the Workplace 1.804  
Zero Tolerance Offenses 6.309  
Suspension/Expulsion/Remand 6.316

# Cumberland County Board of Education

Monitoring:  <b>Review: Annually, in April</b>	Descriptor Term:  <b>Admission of Suspended or Expelled Students</b>	Descriptor Code:  <b>6.318</b>	Issued Date:  <b>09/22/22</b>
		Rescinds:  <b>6.318</b>	Issued:  <b>02/23/17</b>

- 1 The Board may deny admission of any student (except those in state custody) who has been expelled
- 2 or suspended from another school system in Tennessee or another state even though the student
- 3 has established residency in the district in which seeks enrollment is sought.
  
- 4 After a request for enrollment is made, the Director of Schools shall investigate the facts surrounding
- 5 the suspension/expulsion from the former school district and make a recommendation to the Board to
- 6 approve or deny the request.
  
- 7 The Board shall not deny enrollment beyond the length of the imposed suspension/expulsion.
  
- 8 A student may be dismissed if it is determined subsequent to the enrollment that the student has been
- 9 suspended or expelled from the former school district.<sup>1</sup>

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Legal References

1. TCA 49-6-3401(f); Public Acts of 2022, Chapter No. 868; 20 USCA § 1232g(b)(4), (h)

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Cross References

School Admissions 6.203  
Student Records 6.604

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in May</b>	Descriptor Term: <b>Student Psychological Services</b>	Descriptor Code: <b>6.406</b>	Issued Date: <b>06/03/04</b>
		Rescinds: <b>6.406</b>	Issued: <b>02/06/97</b>

1 The Director of Schools will develop a program for making psychological services available to all  
2 students.<sup>1</sup> This program shall cooperate with other agencies in consultative screening and assessment  
3 services.

4 School counselors shall respect the right of privacy of the students they counsel. Confidentiality shall  
5 be maintained by the counselor except:

- 6 1. Where there is a clear and present danger to the student or other persons:
- 7 2. To consult with another psychologist when it is in the best interest of the student; or
- 8 3. When the student and/or parent/guardian waives this privilege in writing.

9 When a counselor is in doubt about what information to release in a judicial proceeding, the counselor  
10 shall consult with an attorney.

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#### Legal References

1. TRR/MS 0520-1-3-.08(1)(c)

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#### Cross References

Testing Programs 4.700

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in May</b>	Descriptor Term:  <b>Student Social Services</b>	Descriptor Code: <b>6.407</b>	Issued Date: <b>07/24/08</b>
		Rescinds: <b>6.407</b>	Issued: <b>02/06/97</b>

1 Each school shall provide a social service program for all students through the cooperative efforts of  
2 the principal, teachers, and guidance counselor.<sup>1</sup>

3 The principal shall develop a program of social services which shall include such services and  
4 activities as:

- 5 1. Orientation of parents/guardians and students to the school program;
- 6 2. Student referral and/or welfare provisions;
- 7 3. Collection and maintenance of student data and record systems;
- 8 4. Educational information for use by students, parents/guardians and teachers;
- 9 5. Conflict resolution techniques; and
- 10 6. Referral information and/or outlets for referral for drug abuse counseling, pregnancy  
11 counseling, and psychological services.

12 The classroom teacher, because of close contacts with the student, shall be a key person in the social  
13 services program.

14 School administrators are authorized to work with recognized groups who may furnish special services  
15 to students.

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Legal Reference:

1. TRR/MS 0520-1-3-.08(1)(d)

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Homeless Students</b>	Descriptor Code: <b>6.503</b>	Issued Date: <b>01/28/21</b>
		Rescinds: <b>6.503</b>	Issued: <b>10/27/16</b>

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

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

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

## 14 ENROLLMENT

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

## 19 PLACEMENT

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

24 Placement shall be determined based on the student's best interest.<sup>5</sup> At all times, a strong presumption  
25 that keeping the student in the school of origin is in the student's best interest shall be maintained, unless  
26 doing so would be contrary to a request made by the student's parent/guardian or the student in the case  
27 of an unaccompanied youth.<sup>6</sup> When determining placement, student-centered factors, including but not  
28 limited to impact of mobility on achievement, education, health, and safety shall be considered.<sup>6</sup> The  
29 choice regarding placement shall be made regardless of whether the student lives with their homeless  
30 parents/guardians or has been temporarily placed elsewhere.<sup>7</sup>

31 If it is not in the student's best interest to attend the school of origin, or the school requested by the  
32 parent/guardian or unaccompanied youth, the Director or his/her designee shall provide a written

1 explanation of the reasons for the determination, in a manner and form that is understandable to the  
2 parent/guardian or unaccompanied youth.<sup>6</sup> The written explanation shall include a statement regarding  
3 the right to appeal the placement decision.<sup>6</sup> If the placement decision is appealed, the district shall refer  
4 the parent/guardian or unaccompanied student to the homeless coordinator, who shall carry out the  
5 dispute resolution process as expeditiously as possible and in accordance with the law.<sup>7</sup> Upon notice of  
6 an appeal, the Director of Schools shall immediately enroll the student in the school in which enrollment  
7 was sought pending a final resolution of the dispute, including all available appeals.<sup>8</sup>

## 8 **RECORDS**

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

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

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

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

- 19 1. Homeless students are quickly identified and have access to education and support services, to  
20 include Head Start and district pre-k programs;
- 21 2. Coordination with local social service agencies and other entities providing services to homeless  
22 students;
- 23 3. Coordinate transportation, transfer of records, and other inter district activities with other school  
24 districts;
- 25 4. Coordinate transportation to the school of origin or choice for homeless students;
- 26 5. Refer homeless students and their families to health care services, dental services, mental health  
27 and substance abuse services, and housing services;
- 28 6. Assist homeless students in obtaining immunizations, medical or immunization records, and any  
29 additional assistance that may be needed;
- 30 7. Public notice of the educational rights of homeless students is disseminated in places frequented  
31 by parents/guardians of homeless students, including schools, shelters, public libraries, and soup  
32 kitchens; and
- 33 8. Unaccompanied youth are enrolled and informed of their status as independent students.

34 The Director of Schools shall develop procedures to ensure that homeless students are recognized  
35 administratively, and that the appropriate and available services are provided for these students. The  
36 Director shall ensure professional development is provided to school personnel providing services to  
37 homeless students.

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**Legal References**

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

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**Cross References**

Student Transportation 3.400  
Parental Involvement 4.502  
Promotion and Retention 4.603  
School Admissions 6.203  
Migrant Students 6.504

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in May</b>	Descriptor Term:  <b>Migrant Students</b>	Descriptor Code: <b>6.504</b>	Issued Date: <b>01/28/21</b>
		Rescinds: <b>6.504</b>	Issued: <b>12/05/02</b>

1 The Board directs the administration to identify migratory students in the district, as required by law,  
2 and to develop written administrative procedures for ensuring that migrant students receive services for  
3 which they are eligible.<sup>1</sup> In developing and implementing a program to address the needs of migratory  
4 students the district will:<sup>2</sup>

- 5 1. Identify migratory students and assess the educational and related health and social needs of each  
6 student.
- 7
- 8 2. Provide a full range of services to migrant students including applicable Title I programs, special  
9 education, gifted education, Career and Technical education, language programs, counseling  
10 programs, elective classes, fine arts classes, etc.
- 11
- 12 3. Provide migratory children with the opportunity to meet the same statewide assessment standards  
13 that all students are expected to meet.
- 14
- 15 4. To the extent feasible, provide advocacy and outreach programs to migratory students and their  
16 families and professional development for district staff.
- 17
- 18 5. Provide parents/guardians an opportunity for meaningful participation in the program.

19 If a migrant student is identified by the district, the Director of Schools or designee will notify the  
20 Tennessee State Department of Education and request assistance if needed.<sup>2</sup>

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#### Legal References

1. State Board of Education Policy 2.103
2. 20 USCA § 6318; 20 USCA § 6391 *et seq.*

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#### Cross References

- School Admissions 6.203  
Homeless Students 6.503

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Students in Foster Care</b>	Descriptor Code: <b>6.505</b>	Issued Date: <b>02/23/17</b>
		Rescinds:	Issued:

1 The Cumberland County School System shall provide all students in foster care, to include those  
2 awaiting foster care placement, with a free and appropriate public education.

## 3 **ENROLLMENT**

4 Students in foster care, to include those awaiting foster care placement, shall be immediately enrolled,  
5 even if the student is unable to produce records normally required for enrollment (i.e. academic records,  
6 immunization records, health records, proof of residency), or missed the district's application or  
7 enrollment deadlines.<sup>1</sup>

## 8 **PLACEMENT**

9 The district and the child welfare agency shall determine whether placement in a particular school is in  
10 a student's best interest. Other parties, including the student, foster parents, and biological parents (if  
11 appropriate), shall be consulted. If the child has an IEP or a Section 504 plan, then the relevant school  
12 staff members shall participate in the best interest decision process. This determination shall be made as  
13 quickly as possible to prevent educational disruption.

14 Placement shall be determined based on the student's best interest. At all times, a strong presumption  
15 that keeping the student in the school of origin is in the student's best interest shall be maintained.<sup>2</sup> For  
16 the purposes of this policy, school of origin shall mean the school in which the student was enrolled,  
17 including a preschool/pre-k program, at the time of placement in foster care or at the time of a placement  
18 change if the student is already placed in foster care.<sup>3</sup>

19 When determining placement, student-centered factors including, but not limited to, the following shall  
20 be considered:

- 21 1. Preferences of the student;
- 22 2. Preferences of the student's parent(s) or education decision maker(s);
- 23 3. The student's attachment to the school, including meaningful relationships with staff and peers;
- 24 4. Placement of the student's siblings;
- 25 5. Influence of the school climate on the student, including safety;
- 26 6. The availability and quality of the services in the school to meet the student's educational needs;
- 27 7. History of school transfers and how they have impacted the student;
- 28 8. How the length of the commute would impact the student;
- 29 9. Whether the student is receiving special education and related services, and if so, the availability  
30 of those required services in a school other than the school of origin; and

1 10. Whether the student is an EL and is receiving language services, and, if so, the availability of  
2 those required services in a school other than the school of origin.

3 Transportation costs should not be considered when determining a student's best interest.

4 If it is not in the student's best interest to attend the school of origin, the Director or his/her designee  
5 shall provide a written explanation of the reasons for the determination. The written explanation shall  
6 include a statement regarding the right to appeal the placement decision. If the placement decision is  
7 appealed, the district shall refer the student to the district coordinator for children in foster care, who  
8 shall carry out the dispute resolution process as expeditiously as possible and in accordance with the  
9 law.<sup>2</sup> Until the dispute is resolved, to the extent feasible, the student shall remain in his/her school of  
10 origin.<sup>2</sup>

### 11 **TRANSPORTATION**<sup>3,4</sup>

12 The district shall collaborate with the local child welfare agency to develop and implement clear and  
13 written procedures governing how transportation to a student's school or origin shall be provided,  
14 arranged, and funded. This transportation will be provided for the duration of the student's time in  
15 foster care.

16 The Director of Schools shall develop administrative procedures to provide for transportation of  
17 students in foster care.<sup>5</sup> These procedures must ensure that:

- 18 1. Students in foster care needing transportation to their schools of origin will promptly receive  
19 that transportation in a cost-effective manner and in accordance with federal law; and
- 20 2. If there are additional costs incurred in providing transportation to the school of origin, the  
21 district will provide such transportation if:
  - 22 a. the local child welfare agency agrees to reimburse the district for the cost of such  
23 transportation;
  - 24 b. the district agrees to pay for the cost; or
  - 25 c. the district and local child welfare agency agree to share the cost.<sup>4</sup>

26 The district will ensure that a student in foster care, to include a student awaiting foster care placement,  
27 remains in his/her school of origin while any disputes regarding transportation costs are being  
28 resolved.

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**Legal References**

1. Elementary and Secondary Education Act (ESEA), as amended by ESSA (Pub. L. 114-95) § 1111(g)(1)(E)(ii)-(iii)
2. Elementary and Secondary Education Act (ESEA), as amended by ESSA (Pub. L. 114-95), § 1111 (g)(1)(E)(i)-(iv)
3. Elementary and Secondary Education Act (ESEA), as amended by ESSA (Pub. L. 114-95), § 1111 (g)(1)(E)
4. Elementary and Secondary Education Act (ESEA), as amended by ESSA (Pub. L. 114-95), § 1112 (c)(5); § 475(4)(A) of the Social Security Act, 42 U.S.C. § 675(4)(A)
5. Elementary and Secondary Education Act (ESEA), as amended by ESSA (Pub. L. 114-95), § 1112 (c)(5)(B)(i)

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**Cross References**

Attendance 6.200  
School Admissions 6.203

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Glucagon and Diazepam Gel (Diastat)</b>	Descriptor Code: <b>6.4051</b>	Issued Date: <b>04/26/18</b>
		Rescinds:	Issued:

1 School personnel, who volunteer, under no duress or pressure and have been properly trained by a  
2 registered nurse, are permitted to administer glucagon in emergency situations to a student based on  
3 physician's orders and/or the student's Individual Health Plan (IHP). If the school nurse is on site, the  
4 nurse shall provide the service to the student.<sup>1</sup>

5 The school nurse shall be responsible for updating and maintaining each IHP. There must be a  
6 parent/guardian signature on file giving permission prior to training school personnel to administer  
7 glucagon.

## 8 **DEFINITION OF GLUCAGON**

9 Glucagon is a hormone that helps the liver release sugar, thus increasing the level of sugar in the blood.  
10 It must be injected with a syringe into the body like insulin.

## 11 **WHEN TO USE GLUCAGON**

12 Glucagon is administered when the student has low blood sugar and is unable to take liquid or food by  
13 mouth because of unconsciousness or seizure activity as per a medical provider's written instructions.

## 14 **TRAINING**

- 15 1. Review physicians' orders for glucagon and parent/guardian permission on file.
- 16
- 17 2. The volunteer must complete an initial in-depth diabetes-related training recognizing signs and  
18 symptoms of hypoglycemia and respond with student-specific interventions.
- 19
- 20 3. The volunteer trainee must be able to state glucagon's action and the need for its use.
- 21
- 22 4. The volunteer trainee must be able to state how glucagon should be prepared, the dosage, and  
23 side effects as well as follow-up care after the administration of glucagon.
- 24
- 25 5. The volunteer trainee must be able to identify where glucagon will be stored (must be kept in a  
26 secure location away from heat and direct light) and readily available to the student.
- 27
- 28 6. The volunteer trainee will notify or delegate notification of EMS/911 personnel,  
29 parents/guardian, and the school nurse any time glucagon is administered to any student.

- 1       7. The volunteer trainee must document observations, administration of glucagon, and follow-up  
2       care on the appropriate diabetic and medication forms.  
3
- 4       8. Training will be provided until competency is demonstrated, and retraining shall be completed  
5       on a yearly basis. Training will be documented and include a skills checklist, instructor's name,  
6       trainee's name, date of training, and documentation of competency of trainee to administer  
7       glucagon. A copy of the trainee's competency training form will be kept in the employee's  
8       personnel file.

## 9       **DEFINITION OF DIAZEPAM (DIASTAT)**

10      Diastat works to stop seizure activity by acting on brain cell interactions that inhibit the seizure  
11      discharges. This special formulation of diazepam is administered rectally as a gel.

12      School personnel who volunteer under no duress or pressure and who have been properly trained by a  
13      registered nurse or employed or contracted by the Cumberland County School District may administer  
14      anti-seizure medications, including diazepam gel to a student in an emergency situation based on the  
15      student's IHP. If the school nurse is available, on site, and able to reach the student within the time  
16      limit for administration specified in the IHP, then the school nurse shall provide this service to the  
17      student.

## 18      **WHEN TO USE DIASTAT**

19      Upon the decision of a trained volunteer to administer diazepam gel (Diastat), school officials shall  
20      immediately summon local emergency medical services to the school to provide necessary monitoring  
21      and transport to safeguard the health and condition of the student.

22      Trained volunteer school personnel administering anti-seizure medications, any registered nurse who  
23      provides training to administer such medications, and any local board of education shall not be liable  
24      in any court of law for injury resulting from the reasonable and prudent assistance in the administration  
25      of such medications, if performed pursuant to the policies and guidelines developed by the departments  
26      of health and education and approved by applicable regulatory or governing boards or agencies.

27      Cumberland County school district shall not assign a student with epilepsy or other seizure disorder to  
28      a school other than the school for which the student is zoned or would otherwise regularly attend  
29      because the student has a seizure disorder.

30      A student's parent/guardian, who has given the student's school written authorization to administer  
31      anti-seizure medication, shall, in accordance with the student's IHP, notify the school administrator or  
32      school nurse if anti-seizure medication or prescription or over-the-counter medicines are administered  
33      at a time at which the student is not present in school. The student's IHP shall set forth with specificity  
34      the requirements of reporting administration of medication and for the dissemination of such  
35      information to volunteer school personnel trained to administer anti-seizure medication. Such  
36      notification shall be given after administration of medication before or at the beginning of the next  
37      school day in which the student is in attendance.

**1 TRAINING**

2 Prior to administration of an anti-seizure medication to a student by volunteer school personnel or a  
3 school nurse in an emergency situation, the student's parent/guardian shall provide:

- 4 1. The school with a written authorization to administer the medication at school;
- 5
- 6 2. A written statement from the student's health care practitioner, which shall contain the  
7 student's name, the name and purpose of the medication, the prescribed dosage, the route of  
8 administration, the frequency that the medication may be administered, and the circumstances  
9 under which the medication may be administered; and
- 10
- 11 3. Prior to its date of expiration, the prescribed medication to the school is in its unopened, sealed  
12 package with the intact label affixed by the dispensing pharmacy.

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**Legal References**

1. TCA 49-50-1602(g)(1)

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**Cross References**

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Opioid Antagonist</b>	Descriptor Code: <b>6.4052</b>	Issued Date: <b>04/26/18</b>
		Rescinds:	Issued:

1 **General**

2 The district shall maintain an opioid antagonist at each school in at least two (2) unlocked, secure  
3 locations to be administered to any student believed to be having a drug overdose.<sup>1</sup> School nurses and  
4 other school personnel expected to provide emergency care to students shall be trained according to the  
5 Tennessee Department of Health guidelines. The school nurse or other trained school personnel may  
6 utilize the school's supply of opioid antagonists to respond to a drug overdose, under a standing  
7 protocol from a physician.

8 **PARENTAL NOTIFICATION**

9 The school system shall notify the parent(s)/guardian(s) of any student to whom an opioid antagonist  
10 has been administered.

11 **PROCEDURES**

12 The Director of Schools shall develop procedures for the maintenance and usage of opioid antagonists  
13 as well as procedures regarding record keeping and reporting after any incident.

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Legal References

1. State Board of Education Policy 4.205

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Safe Relocation of Students</b>	Descriptor Code: <b>6.4081</b>	Issued Date: <b>07/22/21</b>
		Rescinds: <b>6.4081</b>	Issued: <b>08/23/12</b>

1 Employees who are directly responsible for a student’s education or who otherwise interact within the  
2 scope of their assigned duties may relocate a student from the student’s present location to another  
3 location when such relocation is necessary for the student’s safety or the safety of others.<sup>1</sup> If relocation  
4 is necessary, the process will comply with all special education laws. Such employees may also intervene  
5 in a physical altercation between two or more students or between a student and a district employee.  
6 Reasonable or justifiable force may be used to physically relocate or intervene in a conflict if a student  
7 is unwilling to cooperate.<sup>2</sup> If an employee is unable to resolve the matter with the use of reasonable or  
8 justifiable force, the student shall be allowed to remain in place until local law enforcement officers or  
9 school resource officers can be summoned to relocate the student or take the student into custody until  
10 a parent or guardian can retrieve the student.

11 In the event that physical relocation becomes necessary, the employee shall immediately file a brief  
12 report of the incident with the principal. If the student's behavior constitutes a violation of the board's  
13 zero tolerance policy, the report shall be placed in the student's permanent record. Otherwise, the report  
14 shall be kept in the student's discipline record, and not become a part of that student's permanent record.  
15 The principal/designee shall notify the teacher involved of the actions taken to address the behavior of  
16 the relocated student.<sup>1</sup>

17 The Director of Schools shall develop administrative procedures regarding the safe relocation of students  
18 consistent with State law. Each principal shall fully support the employees' authority to relocate a student  
19 and ensure appropriate implementation and reporting.

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## Legal References

1. Public Acts of 2021, Chapter No. 77
2. TCA 39-11-603, TCA 39-11-609-614

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## Cross References

Code of Conduct 6.300  
Interference/Disruption of School Activities 6.306  
Zero Tolerance Offenses 6.309  
Special Education Students 6.500

# Cumberland County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <h2 style="text-align: center;">Service Animals</h2>	Descriptor Code: <b>6.5001</b>	Issued Date: <b>04/26/12</b>
		Rescinds:	Issue

1 Cumberland County schools acknowledges its responsibility to permit students and/or adults with  
 2 disabilities to be accompanied by a "service animal" in its school buildings, in classrooms, and at  
 3 school functions, as required by the Americans with Disabilities Act, 28 C.F.R. Part 35, subject to the  
 4 following:

- 5       1. All requests for an individual with a disability to be accompanied by a service animal must be  
 6       addressed in writing to the Director of Schools and must contain required documentation of  
 7       vaccinations. This written request must be delivered to the Director of Schools' Office at least  
 8       ten days prior to bringing the service animal to school or a school function.
- 9       2. The animal must be a dog or, in specific circumstances, a miniature horse. No other species of  
 10       animals, whether wild or domestic, will be permitted in schools as a "service animal."
- 11       3. Special Provisions/Miniature Horses: Requests to permit a miniature horse to accompany a  
 12       student or adult with a disability in school buildings, in classrooms, or at school functions, will  
 13       be handled on a case-by-case basis, considering the type, size, and weight of the service animal  
 14       and whether the facility can accommodate these features will be decided on a case-by-case  
 15       basis.
- 16       4. The animal must be required for the individual with a disability to be successful in the school  
 17       environment.
- 18       5. The animal must be "individual trained" to do work or a task for the individual with a  
 19       disability.
- 20       6. Owners of service animals are liable for any harm or injury caused by the animal to other  
 21       students, staff, visitors, and/or property.
- 22       7. All service animals must be in sufficient control by handler at all times.
- 23       8. A service animal must have a harness, leash, or other tether, unless either the handler is unable  
 24       because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or  
 25       other tether would interfere with the service animal's safe, effective performance of work or  
 26       tasks, in which case the service animal must be otherwise under the handler's control.
- 27       9. All service animals must be housebroken.
- 28       10. All service animals must be treated for, and kept free of, fleas and ticks.

- 1 11. All service animals must be kept clean and groomed to avoid shedding and dander.
- 2 12. Cumberland County Schools is not responsible for the care or supervision of a service animal,  
3 including walking the animal or responding to the animal's need to relieve itself.
- 4 a. Cumberland County Schools is not responsible for providing a staff member to walk the  
5 service animal or to provide any other care or assistance to the animal.
- 6 b. Students with service animals are expected to care and supervise their animal. In the  
7 case of a young child or a student with disabilities who is unable to care for or supervise  
8 his or her service animal, the parent/guardian is responsible for providing care and  
9 supervision of the animal. Issues related to the care and supervision of service animals  
10 will be addressed on a case-by-case basis at the discretion of the building administrator.
- 11 13. Owners of a service dog must provide annual proof of the following vaccinations: DHLPPC  
12 (Distemper, Hepatitis, Leptospirosis, Parainfluenza, Parvovirus, Coronavirus), Bordetella, and  
13 Rabies.
- 14 14. All service dogs must be spayed or neutered.
- 15 15. Owners of service miniature horses must provide annual proof the vaccinations: Equine  
16 Infectious Anemia (Coggins Test), Rabies, Tetanus, Encephalomyelitis, Rhinopneumonitis,  
17 Influenza, Strangles.
- 18 16. Removal of a Service Animal: A school administrator may ask an individual with a disability  
19 or his/her parents/guardians to remove a service animal from a school building, a classroom, or  
20 from a school function if any of the following circumstances occur:
- 21 a. The animal is out of control and the animal's handler does not take effective action to  
22 control it; or
- 23 b. The animal is not housebroken.
- 24 c. The animal's presence would "fundamentally alter" the nature of the service, program,  
25 or activity.
- 26 If a public entity properly excludes a service animal under Sec. 35.136(b), it shall give the individual  
27 with a disability the opportunity to participate in the service, program, or activity without having the  
28 service animal on the premises. 28 C.F.R. Sec. 35.136 (c).

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Legal Reference:

1. ADA Regulations, 28 C.F.R. Part 35 (as amended, 2010).