

Policy Committee Meeting

August 14, 2023 5:30 PM

MCBOE

1. Call to Order

2. 3.206 Community Use of School Facilities

3. 4.204 Summer Instructional Programs

4. 4.402 Library Materials

5. 5.106 Application and Employment

6. 5.119 Employment of Retirees

7. 5.302 Sick Leave

8. 6.200 Attendance

9. 6.202 Home Schools

10. 6.310 Dress Code

11. 6.319 Alternative School Programs

12. 6.402 Physical Examinations and Immunizations

Marshall County Board of Education

Monitoring: Review: Annually, in October	Descriptor Term: <h2 style="text-align: center;">Community Use of School Facilities</h2>	Descriptor Code: 3.206	Issued Date: 08/14/23
		Rescinds: 3.206	Issued: 02/14/22

- 1 When not in use for school purposes, school buildings and grounds or portions thereof may be used for
- 2 public, governmental, charitable, civic, recreational, cultural, and such other purposes that promote the
- 3 welfare of the community, as approved by the director of schools.¹

- 4 1. Requests for the use of school facilities shall be made first at the office of the principal.
- 5 a. If approved by the principal, a *Use of School Facility* form will be signed by the principal and
- 6 given to the group requesting use of facilities.
- 7 b. The group must secure liability insurance to cover the use of facilities at the minimum of
- 8 \$1,000,000.
- 9 c. Proof of insurance and the *Use of School Facility* form must be presented at the central office for
- 10 final approval by the director of schools.
- 11 2. Student clubs and activities, parent-teacher associations, and other organizations affiliated with the
- 12 schools shall be permitted reasonable use of school facilities without charge or insurance coverage.
- 13 3. School facilities may not be used for private profit, except for after-school tutoring/lessons provided
- 14 by a certified employee of the Marshall County School System to enhance the educational process.
- 15 Any for-profit group who wishes to use school facilities for one-time performances or other programs
- 16 must have special Board approval;²
- 17 4. Unused facilities may be leased for private day-care centers which provide educational and child
- 18 care services to the community;²
- 19 5. All activities must be under competent adult supervision and approved by the building principal. In
- 20 all cases, an assigned school employee will be present. The group using the facilities will be
- 21 responsible for any damage to the building or equipment and payment of supervision and clean up
- 22 at the rate of time and a half the hourly rate of the personnel used;
- 23 6. Groups receiving permission for building use are restricted to the dates and hours approved and to
- 24 the building area and facilities specified;
- 25 7. Groups receiving permission for building use are responsible for the observance of all fire and safety
- 26 regulations at all times;
- 27 8. The use of alcoholic beverages, drugs, profane language, or gambling in any form is not permitted
- 28 in school buildings. Smoking within the building is not permitted;
- 29 9. The Board will cooperate with recognized agencies, such as the Red Cross, National Guard and Civil
- 30 Defense, and will make suitable facilities available without charge during community emergencies;
- 31 10. When school kitchens are used, a member(s) of the cafeteria staff must be present to supervise the
- 32 use of the equipment. Compensation must be paid to cafeteria member(s) at the rate of time and one-
- 33 half of their hourly rate.
- 34 11. When a third-party vendor uses a facility and a custodian is used, a fee of **\$25** per hour plus the fixed
- 35 Medicare, Social Security, and retirement rates must be paid to the Central Office.

- 1 12. When a third-party vendor uses facility and other school personnel are used, a fee of \$30 per hour
2 plus the fixed charges Medicare, Social Security, and retirement rates must be paid to the Central
3 Office.
- 4 13. Groups are responsible for servicing an AED, should it be used. The AED is to be used at one's own
5 risk.

Legal References

1. TCA 49-50-201; TCA 49-2-203(b)(4); TCA 49-2-405
2. TCA 49-2-203(b)(4)(B)

Cross References

Board-Community Relations 1.500
Tobacco-Free Schools 1.803
Emergency Preparedness Plan 3.202
Tutoring for Pay 5.608
Care of School Property 6.311

Marshall County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Summer Instructional Programs	Descriptor Code: 4.204	Issued Date: 07/10/23
		Rescinds: 4.204	Issued: 01/11/00

1 *General*

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

- 3 1. Traditional summer school;
- 4 2. Learning loss bridge camps;
- 5 3. After-school learning mini camps (2021–2023); and
- 6 4. Summer learning camps (2021–2023).

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

11 **SUMMER PROGRAMMING²**

12 The Director of Schools shall present a recommended summer programming plan to the Board each year,
13 no later than May 30, outlining the following:

- 14 1. Courses offered;
- 15 2. Transportation;
- 16 3. Class size ratios;
- 17 4. Budget, including staff compensation;
- 18 5. School nutrition needs;
- 19 6. Staffing;
- 20 7. Enrollment criteria; and
- 21 8. Any additional necessary information.

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1 ATTENDANCE REQUIREMENTS²

2 Priority students, as defined by state law, shall not be required to attend summer programs. Local
3 attendance requirements will be set by the principals of the corresponding grade levels.

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

6 THIRD GRADE PROMOTION/RETENTION LAW & MAKE UP DAYS

7 Students who are required to attend summer programming in order to be promoted to the fourth grade
8 shall attend with a ninety percent (90%) attendance rate. Students shall attend eighteen (18) days out of
9 the twenty (20) days required for summer school attendance. If more days are missed, students may
10 make up a total of (insert number of days) within (insert district timeframe). Missed days will be
11 documented, and options for make up days will be provided by the (insert option the district uses-
12 Director of Schools, summer programming committee, etc.).

13 Parents shall be provided information on the summer program attendance policy by (insert method
14 district uses).

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

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Legal References:

- 1. TRR/MS 0520-01-03-.03(9) Public Acts of 2023, Chapter No. 144
- 2. ~~Public Acts of 2021, Special Legislative Session, Chapter No. 1~~ TCA 49-6-1504
- 3. TCA 49-6-3003
- 4. State Board of Education Policy 3.300

Cross Reference:

Extended Contracts 5.112

Marshall County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Library Materials	Descriptor Code: 4.402	Issued Date: 08/08/22
		Rescinds:	Issued:

1 *General*

The librarian shall be responsible for library collection development. Library materials shall be reviewed to ensure the content aligns with state law.¹ The library collection shall adhere to the following criteria:

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

Each librarian shall be responsible for reviewing his/her school's library collection prior to purchase.

COMPLAINTS²

Tier I

If a complaint is made by an employee, student, or parent/guardian of the Marshall County School system, this process is to be followed:

1. Inform the complainant of the selection procedures and make no commitments.
2. Request the complainant to submit a Request for Reconsideration of Library Materials form.
3. Inform the principal (and other appropriate personnel).
4. **Keep challenged materials available for use during the reconsideration process.**

Upon receipt of the completed form, the principal shall notify the director of schools. The principal may request review of the challenged materials by an ad hoc materials review committee within thirty (30) days. The review committee is appointed by the principal and **should** include certified Library Media Specialists **personnel**, representatives from classroom teachers, one or more parents, and may include one or more students. ~~The principal is responsible for acquiring the challenged materials and the principal is responsible for distributing challenged materials to the ad hoc materials review committee. To allow time for material acquisition, distribution, and review of challenged materials, a period of thirty (30) working days will be allowed for a final decision to be made by the committee.~~ The principal will inform the director of schools of the review committee's **decision-progress**.

- ~~5. The review committee shall take the following steps after receiving the challenged materials:~~

After receiving the challenged materials, the following steps should occur:

1. Read, view, or listen to the contested material in its entirety;
2. Check general acceptance of the material by reading recognized and evaluative reviews;
3. Determine the extent to which the material is appropriate for the age and maturity levels of the students who have access to the materials and whether the material is suitable for, and consistent with, the educational mission of the school; **and**
4. Complete the appropriate Checklist for Reconsideration of Library Materials, judging the material for its strength and value; **and**
5. Present a recommendation to the director of schools and the Board.
- ~~6. The Board shall review the recommendation presented by the review committee and make the determination whether the material is appropriate for the age and maturity levels of the students who have access to the materials and whether the material is suitable for, and consistent with, the educational mission of the school.~~
- ~~7. If it is determined that the material is not appropriate for the age and maturity levels of the students who have access to them or is not suitable for, and consistent with, the educational mission of the school, the Board shall require the school to remove the material from the library collection.~~

Tier Two

The complainant may appeal the principal's decision. The appeal shall be to the Director of Schools. He/she shall review the recommendation presented by the review committee along with the principal's recommendation and make the determination whether the material is appropriate for the age and maturity levels of the students who have access to the materials and whether the material is suitable for, and consistent with, the educational mission of the school.

Tier Three

The complainant may appeal the decision of the Director of Schools. The Board shall evaluate the material to determine whether the material is appropriate for the age and maturity levels of the students who have access to the materials and whether the material is suitable for, and consistent with, the educational mission of the school.

If, at any tier, it is determined that the material is not appropriate for the age and maturity levels of the students who have access to them or is not suitable for, and consistent with, the educational mission of the school, the material shall be removed from the library collection.

Legal References:

1. *Board of Education, Island Trees Union Free School District No. 26 v. Pico*, 457 U.S. 853, 102 S. Ct. 2799 (1982); Public Acts of 2022, Chapter No. 744
2. *Public Acts of 2023, Chapter No. 472*

Cross References:

Textbooks and Instructional Materials 4.400
 Web Pages 4.407
 Controversial Materials 4.801

Marshall County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Application and Employment	Descriptor Code: 5.106	Issued Date: 07/10/23
		Rescinds: 5.106	Issued: 07/09/18

1 APPLICATION

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

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

12 Any costs incurred by the Tennessee Bureau of Investigation in conducting such investigations of
13 applicants shall be paid in the following manner: The Board will pay the cost of background checks for
14 permanent employees. If the employee does not complete a six (6) month employment period, the cost
15 of the background check will be deducted from the last paycheck.⁴ Substitute teachers and substitute
16 cafeteria workers must pay for their background check at substitute orientation.

17 The Board assigns to the director of schools the duty to conduct thorough background checks and to
18 advise all applicants that all hiring decisions are contingent upon satisfactory background check results.

19 *Professional Employees*

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

25 No person shall be employed:

- 26 1. Who does not hold a valid license to teach or a temporary permit to teach from the State Board of
27 Education;⁶
- 28 2. Who has been identified by the Department of Children's Services, **or on a similar registry in another**
29 **jurisdiction**, as a perpetrator of child abuse, severe child abuse, child sexual abuse, or child neglect,
30 or who poses an immediate threat to the health, safety, or welfare of children;⁷

- 1 3. Who is listed on the state's abuse of vulnerable persons registry maintained by the Department of
- 2 Health, **or on a similar registry in another jurisdiction;**⁷
- 3 4. Who does not present a physician's certificate showing a satisfactory health record or has any
- 4 contagious or communicable disease in such form that might endanger the health of school children;⁸
- 5 5. Who refuses to take and subscribe to an oath to support the Constitution of the State of Tennessee
- 6 and of the United States of America;⁹
- 7 6. Who fails to make a full disclosure of any prior criminal record and any ~~proper~~ **prior** dismissals from
- 8 employment for cause; or
- 9 7. Who does not receive a satisfactory TBI background check.¹⁰

10 *Support Employees*

11 No person shall be employed:

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

23 **EMPLOYMENT**

24 *Professional Employees*

25 After checking references and receiving written recommendations, the director of schools shall hire and

26 assign qualified applicants.

27 *Initial Employment for Professional Employees*

28 **The Director of Schools shall notify such person, in writing, of the offer and conditions of employment.**

29 **Upon receipt of employment notification, such person shall respond within the timeline established by**

30 **the state law.¹² From the date of the written acceptance, such person is considered to be under**

31 **employment with the district and is subject to all rights, privileges, and duties.**

32 ~~Upon initial employment, the director of schools shall notify such person, in writing, of the offer and~~

33 ~~conditions of employment. Upon receipt of employment notification, such person shall have fourteen~~

34 ~~(14) days to accept or reject, in writing, the offered employment. From the date of the written acceptance,~~

35 ~~such person is considered to be under employment with the system and is subject to all rights, privileges~~

36 ~~and duties.¹~~

37 *Support Employees*

- 1 After checking references and receiving written recommendations from principals and/or supervisors,
- 2 the director of schools shall hire and assign qualified applicants.

Legal References:

1. TCA 49-5-406; **TCA 49-5-413**
2. State Board of Education Policy 5.501
3. TCA 49-5-406(a)(2)(A)
4. TCA 49-5-413(c)
5. ~~Public Acts of 2018, Chapter No. 938~~ **TCA 49-2-131**
6. TCA 49-5-403; TCA 49-5-101, **TCA 49-5-106**
7. TCA 49-5-413(e); **Public Acts of 2023, Chapter No. 222**
8. TCA 49-5-404; ~~TRR/MS-0520-01-03-.08(2)(f)~~
9. TCA 49-5-405
10. ~~Public Acts of 2018, Chapter No. 1006~~ **TCA 49-5-413(a),(f)**
11. Immigration Reform and Control Act of 1986; Pub. L. No. 99-603, 100 Stat. 3359, **8 USCA § 1101 et seq.**
12. **TCA-49-5-406(b)**

Cross Reference:

- 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

Marshall County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Employment of Retirees	Descriptor Code: 5.119	Issued Date: 08/08/22
		Rescinds:	Issued:

1 *General*

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

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

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

9 ~~EMPLOYMENT CONTRACTS FOR ONE YEAR~~ **GENERAL EMPLOYMENT CONTRACTS**

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

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

25 **ADDITIONAL EMPLOYMENT OPTION FOR RETIREES³**

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

- 29 1. The retired member has been retired for at least sixty (60) calendar days;

- 1 2. The retirement benefit payable to the retired member is reduced to seventy percent (70%) of the
- 2 retirement allowance;
- 3 3. The retired member's employment can't be longer than a one (1) year period; however, the retired
- 4 member can be reemployed for addition one (1) year periods;
- 5 4. The retired member is not drawing disability retirement benefits; and
- 6 5. The retired member can't accrue additional retirement benefits.

7 The director of schools shall notify TCRS of the member's reemployment. ~~and certify in writing that~~
8 ~~the retired member has the required experience and training for the position and that no other qualified~~
9 ~~persons are available to fill the position.~~ Once the retired member is hired by the district, the district
10 shall pay TCRS as prescribed by state law. The school district shall pay to TCRS during the period of
11 reemployment the greater of (1) a payment equal to the amount the school district would have contributed
12 to TCRS; or (2) an amount equal to five percent (5%) of the retired member's pay rate.

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Legal References:

1. TCA 8-36-805; **Public Acts of 2023, Chapter No. 425**
2. TCA 8-36-821; **Public Acts of 2023, Chapter No. 425**
3. ~~Public Acts of 2022, Chapter No. 821~~ **TCA 8-36-822;**
Public Acts of 2023, Chapter No. 425

Cross Reference:

Application and Employment 5.106
Substitute Teachers 5.701

Marshall County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Sick Leave	Descriptor Code: 5.302	Issued Date: 01/11/21
		Rescinds: 5.302	Issued: 08/08/16

1 PROFESSIONAL PERSONNEL

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

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

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

11 A certificate from the physician on forms furnished by the Board may be required in support of any
12 claim for sick leave pay.⁴

13 The principal shall notify the director of schools' office at once if an employee is sick beyond the limit
14 of his/her sick leave accumulation. The substitute teacher, beyond this point, must have a certificate or
15 permit and must be paid according to the state salary scale.

16 Permanent, cumulative sick leave records for each active professional employee shall be kept in the
17 director of schools' office.

18 A teacher, upon employment, may transfer his/her accumulated sick leave from another Tennessee
19 school system, provided that the director of schools of the system in which the accumulated leave was
20 held provides notarized verification.⁴³

21 SUPPORT PERSONNEL

22 The time allowed for sick leave shall be one (1) day for each month employed during the school year
23 and shall accumulate for an unlimited number of days.

24 Sick leave shall be defined as: illness of an employee from natural causes or accident, quarantine, or
25 illness or death of a member of the employee's immediate family, including the employee's spouse,
26 parent, grandparent, child, grandchild, brother, sister, mother-in-law, father-in-law, daughter-in-law,
27 son-in-law, brother-in-law and sister-in-law.

1 A signed statement listing the cause of absence shall be provided by the employee on forms furnished
2 by the director of schools and shall promptly be given to the immediate supervisor in support of all
3 claims for sick leave pay. A falsified statement shall be grounds for dismissal.

4 A certificate from the physician on forms furnished by the Board may be required in support of any
5 claim for sick leave.

6 The principal shall notify the director of schools' office at once if an employee is sick beyond the limit
7 of his/her sick leave pay.

8 Permanent cumulative sick leave records for each active employee shall be kept in the director of
9 schools' office.

10 Accrued sick leave shall not be compensated due to resignation, retirement or termination.

11 **SICK LEAVE BANK**

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

14 To form a sick leave bank, a minimum of twenty (20) employees from the school system shall petition
15 the Board for permission to establish a sick leave bank. Upon approval, sick leave bank trustees shall be
16 appointed and shall operate as the governing body of the sick leave bank and shall enact rules and
17 regulations consistent with state law⁵⁶. Employees wishing to participate shall initially give a maximum
18 of three (3) days of sick leave. These days are to be deducted from the employee's personal accumulation
19 and donated to the sick leave bank. Donations of sick leave to the bank are nonrefundable and
20 nontransferable.³⁷

21 At any time the number of days in the sick leave bank is less than twenty (20), or one (1) per employee
22 if there are more than twenty (20) members, or at any time deemed advisable, the trustees shall assess
23 each member one (1) or more days of accumulated sick leave. If an employee has no accumulated sick
24 leave at the time of assessment, the first earned days shall be donated as they are accrued by the
25 employee.³⁷

26 An employee who is a member of the sick leave bank may request an allotment of days (for the
27 employee's personal illness ~~only~~ or on account of an illness of his/her minor child) in the manner
28 designated by the trustees. The need for these days must be verified by a statement from a doctor.⁸

29 By written notice to the trustees, an employee may withdraw from bank participation on June 30 of any
30 year.^{4 9} Membership withdrawal results in forfeiture of all days contributed.

31 The sick leave bank shall be operated in accordance with state law.¹⁰

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Legal References

1. TCA 49-5-710(a)(1)
2. TRR/MS 0520-1-2-.04(2)
3. TCA 49-5-710(a)(5)
4. TCA 49-5-811
5. TCA 49-5-803
6. TCA 49-5-804; TCA 49-5-805
7. TCA 49-5-807
8. ~~TCA 49-5-806~~ Public Acts of 2023, Chapter No. 151
9. TCA 49-5-808(j)
10. TCA 49-5-801 et seq.

Cross References

Workers' Compensation 3.602
Orientation and Probation 5.107
Short Term Leaves of Absence 5.300
Family and Medical Leave 5.305
Physical Assault Leave 5.307

Marshall County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Attendance	Descriptor Code: 6.200	Issued Date: 08/08/22
		Rescinds: 6.200	Issued: 07/12/21

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

3 The director of schools/designee shall ensure that this policy is posted in each school building and
4 disseminated to all students, parent(s)/guardian(s), teachers, and administrative staff.

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

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

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

17 ABSENCES

18 Absences shall be classified as either excused or unexcused as determined by the principal or assistant
19 principal. Professional documentation shall be required.

20 Excused absences shall include:⁴

21 **I. Medical Excuses:** Students must provide valid documentation for absences which details accurate
22 dates of illness (this includes doctors, dentists, and/or health care agencies). Upon returning to school,
23 a student has three (3) school days in which to submit a note. After three (3) days, the absence(s) will
24 become permanently unexcused.

25
26 **II. Personal Days:** Beginning with the 2020-2021 school year, students will be allowed three (3)
27 excused personal days per semester. These days will cover the following types of absences; however,
28 proper documentation must be presented to the office in order for the absence to be excused:

- 29 1. Personal illnesses, serious family illness or family emergency – (a note from the student's
30 parent/guardian or legal custodian will be required for the student's returning to school). The

- 1 note should include the reason(s) for and the date(s) of the absence. Upon returning to school, a
2 student has three (3) school days in which to submit a note. After three (3) days, the absence(s)
3 will become permanently unexcused.
- 4 2. Driver's license (documentation is required).
 - 5 3. Deaths
 - 6 A. In the family – One (1) day will be excused. Additional days will be excused at the discretion
7 of the principal (program or death notice is required upon return to school)
 - 8 B. Of others – The principal may excuse absences with appropriate documentation.
 - 9 4. Religious Holidays/Retreats⁵ – Religious holidays will be excused with proper documentation
10 from the parent. Religious retreats must be pre-authorized by the principal with documentation
11 from religious church/agency sponsoring the retreat.
 - 12 5. Appearance in court (documentation from a court official will be required as documentation).
 - 13 6. Pregnancy.
 - 14 7. Extreme weather conditions.
 - 15 8. School-endorsed activities.

16
17 **III. Principal's Discretion:** Absences involving extenuating or unusual circumstances may be
18 approved or pre-approved by the principal on a case-by-case basis.

19 Any absence without a note is automatically an unexcused absence.

20 The principal shall be responsible for ensuring that:⁶

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

27 **NON-SCHOOL SPONSORED EXTRACURRICULAR ACTIVITY⁹**

28 A principal/designee may excuse a student to participate in non-school sponsored extracurricular
29 activities. The principal shall document the approval in writing and shall excuse no more than ten (10)
30 absences each school year. No later than seven (7) business days prior to the student's absence, the
31 student shall provide documentation to the school as proof of the student's participation along with a
32 written request for the excused absence from the student's parent/guardian. The request shall include the
33 following:

- 34 1. Student's name and personal identification number;
- 35 2. Student's grade;
- 36 3. The dates of the student's absence;
- 37 4. The reason for the student's absence; and
- 38 5. The signatures of the student and parent/guardian.

39

40

1 **RELEASED TIME COURSE¹⁰**

2 A principal/designee may excuse a student to attend a course in religious moral instruction for up to one
3 (1) class period per school day. Students shall not be excused during any class which requires an
4 examination for state or federal accountability purposes.

5 The student shall submit a written consent form signed by the student's parent/guardian prior to
6 participation in the released time course. The principal/designee shall document the approval in writing.
7 The student shall provide documentation to the principal/designee as proof of the student's participation
8 in the released time course.

9 The district shall not be responsible for transporting students to and from the place of instruction.

10 Upon submission of the student's transcript from the entity that provided the released time course, the
11 student may be awarded one-half (1/2-1) unit of elective credit.

12 The Director of Schools shall develop procedures with secular criteria for determining whether credit
13 shall be awarded.

14 **TRUANCY**

15 *General*

16 Annually, the Director of Schools/designee will provide written notice to parent(s)/guardian(s) that
17 attendance at school is required. Students shall be present at least fifty percent (50%) of the scheduled
18 school day in order to be counted present. Students may attend part-time days, alternating days, or for a
19 specific amount of time as indicated in their Individualized Education Plan or 504 Plan and shall be
20 considered present for school attendance purposes. If a student is required to participate in a remedial
21 instruction program outside of the regular school day where there is no cost to the parent(s)/guardian(s)
22 and the school system provides transportation, unexcused absences from these programs shall be
23 reported in the same manner.⁷

24 A student who is absent three (3) days without adequate excuse shall be reported to the Director of
25 Schools/designee who will, in turn, provide written notice to the parent(s)/guardian(s) of the student's
26 absence. If a parent does not provide documentation within adequate time excusing those absences, or
27 request an attendance hearing, then the Director of Schools shall implement the progressive truancy plan
28 described below prior to referral to juvenile court.

29 Prior to referral to juvenile court, the following progressive truancy plan will be implemented.

30 *Progressive Truancy Plan⁸*

31 **Tier I**

32 Tier I of the progressive Truancy Plan shall apply to all students within the district and include
33 schoolwide prevention-oriented supports to assist with satisfactory attendance. These prevention-
34 oriented supports may include, but are not limited to:

- 1 1. Written notification of student absences;
- 2 2. Parent and/or student consultation;
- 3 3. Counseling referrals; or
- 4 4. Other supports deemed appropriate by the school administration.

5 **Tier II**

6 At five (5) unexcused absences, the Truancy Intervention Specialist will work with the school
7 administration to schedule a meeting with the student and parent. At the meeting, an attendance contract
8 shall be signed which specifies the school's attendance expectations for the student, the period for which
9 the contract is effective, and penalties for further absences. In addition, an Individualized Assessment
10 Plan shall be conducted to determine what may be needed to prevent additional unexcused absences.
11 Such things as counseling, community-based services, or other services may be referred and/or
12 implemented.

13 The school and Truancy Intervention Specialist will continue to monitor the student's attendance and
14 meet with the student to discuss progress.

15 **Tier III**

16 If a student continues with additional unexcused absences after Tier I and Tier II have been attempted,
17 then Tier III will be implemented. It will consist of parents and students being cited to the Marshall
18 County Truancy Board for additional services and a warning of juvenile court. Once all three Tiers have
19 been attempted, students and/or parents will be cited to Juvenile Court.¹³ The interventions shall address
20 students' needs in an age-appropriate manner. Finalized plans shall be approved by the director of
21 schools/designee.

22 **STATE-MANDATED ASSESSMENT**

23 Students who are absent the day of the scheduled end-of-course (EOC) exams shall present a signed
24 doctor's excuse or shall have been given an excused release by the principal prior to testing to receive
25 an excused absence. Students who have excused absences will be allowed to take a make-up exam.
26 Excused students will receive an incomplete in the course until they have taken the EOC exam.

27 Students who have an unexcused absence shall receive a failing grade on the EOC exam which shall be
28 averaged into their final grade.

29 **DRIVER'S LICENSE REVOCATION²**

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

32 **CREDIT/PROMOTION DENIAL**

33 Credit/Promotion denial determinations may include student attendance; however, student attendance
34 may not be the sole criterion.¹¹ However, if attendance is a factor, prior to credit/promotion denial, the
35 following shall occur:

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

4 Out-of-School Suspension days are likewise unexcused absences.

5 The principal shall be responsible for ensuring that:⁷

- 6 1. Attendance is checked and reported daily for each class;
- 7 2. Daily absentee sheets contain sign in/sign out sheets and indicate students present or absent for
- 8 the majority of the day;
- 9 3. All student absences are verified;
- 10 4. Written excuses are submitted for absences and tardiness;
- 11 5. System-wide procedures for accounting and reporting are followed; and
- 12 6. Students who are absent three (3) days without adequate excuse shall be reported to the director
- 13 of schools/designee who will, in turn, provide written notice to the parent(s)/guardian(s) of the
- 14 student's absence.⁸ The director of schools/designee shall also comply with state law regarding
- 15 the reporting of truant students to the proper authorities.⁸

16 **TARDIES, EARLY DISMISSALS AND DETENTION**

- 17 1. Truancy is defined as an unexcused absence for an entire school day, a major portion of the
- 18 school day or any portion of any class, study hall or activity during the school day for which the
- 19 student is scheduled.
- 20 2. Any student who misses more than fifteen (15) minutes of a class period will be counted as
- 21 absent.

22 **ELEMENTARY TARDY* POLICY**

23 *A tardy is defined as a late check in or an early check out from school.

24 After five (5) unexcused tardies, parents will receive written notice from school as a warning that further

25 unexcused tardies will result in a summons to the Marshall County Schools Tardy Review Board. After

26 a student reaches eight (8) unexcused tardies, parents will be summoned to appear before the Tardy

27 Review Board. After a subsequent unexcused tardy, parents may be charged with Educational Neglect

28 in the Marshall County Juvenile Court.

29 Please note: Elementary students receive three parent notes per semester. Parent notes can be used for

30 unexcused tardies.

31

32 **RULES AND PENALTIES**

- 33 1. A student must present documentation of his/her absence and receive a class admittance note
- 34 before entering class. Documentation must be turned in within three (3) school days from the
- 35 date the student returns to school, or the absences will be unexcused.

2. All missed classwork and tests (whether from an excused or unexcused absence) may be made up if the student makes the request immediately upon returning to school and if class time is not taken. Requests for make-up work made prior to the first bell must be provided by the teacher(s) by 3:00 p.m. the same day. Make-up work must be completed and returned to the teacher within one day per absence.
3. Time spent in before-school or after-school detention is for disciplinary purposes and will not be construed as make-up time. Under no circumstances will detention time be substituted for class time and/or work missed.
4. If a student has an illness that requires hospitalization exceeding ten (10) school days, the student, or his/her parent/guardian may apply to the Special Populations Supervisor for a "homebound" teacher to provide instruction.
5. The principal shall be responsible for notifying in writing the director of schools and the parents of the student of any action taken by the school.
6. A student participating in a school-sponsored activity, whether on or off campus, will not be counted absent. The student will be eligible to make up all work missed and will receive full credit for the assignment upon completion of the work. To qualify as "school-sponsored", the activity must be school-planned, school-directed, and supervised by an approved sponsor.
7. Mass exodus, early dismissal, or late arrival of all students, or any segment of students, will not be permitted for any reason except for emergencies such as inclement weather or other unavoidable situations, unless instruction time is made up in full.
8. Student attendance records will be given the same level of confidentiality as other student records. Only authorized school officials engaged in legitimate educational purposes may have access to student information without the express consent of the parent or guardian, if the student is a minor, or the student, if he or she has attained the age of eighteen (18).⁴
9. Foreign exchange students will be dealt with on a case-by-case basis by the principal.

ATTENDANCE HEARING¹²

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

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

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

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

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Legal References:

- 1. TCA 49-6-3006
- 2. TCA 49-6-3017(c); Public Acts of 2022, Chapter No. 878
- 3. 20 USCA § 1232g
- 4. TRR/MS 0520-01-02-.17(5); State Board of Education Policy 4.100
- 5. TCA 49-6-2904(b)(5)
- 6. TCA 49-6-3007
- 7. TCA 49-6-3021
- 8. TCA 49-6-3007; TCA 49-6-3009
- 9. TCA 49-6-3022
- 10. TCA 49-2-130
- 11. TCA 49-2-203(b)(7); TCA 49-6-3002(b)
- 12. TRR/MS 0520-01-02-.17(7)
- 13. TCA 49-6-3009

Cross References

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

Marshall County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Home Schools	Descriptor Code: 6.202	Issued Date: 07/12/21
		Rescinds: 6.202	Issued: 12/08/11

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 are associated with an
3 organization that conducts church-related schools (as defined by §49-50-801) which are supervised by
4 such organization and which administer standardized achievement tests at the same time tests are given
5 in their regular day schools are exempt from the following provisions, but must follow procedures issued
6 by the State Department of Education.¹

7 A parent wishing to conduct a home school shall meet the following requirements:²

- 8 1. Provide annual notice to the director of schools before the commencement of each school year
9 of the intent to conduct a home school;
- 10 2. Submit to the director of schools the name, number, age, grade level of children involved,
11 location of the school, curriculum to be offered, proposed hours of instruction, qualifications of
12 the parent/teacher, whether a college preparatory or general course of education will be taught in
13 grades 9-12, and a description of the courses to be taught each year;
- 14 3. Maintain attendance records, subject to inspection of the local director of schools;
- 15 4. Submit attendance records to the director of schools at the end of each school year;
- 16 5. Provide instruction for at least four (4) hours per day for the same number of instructional days
17 as are required by state law for public schools;³
- 18 6. ~~Possess a high school diploma or a high school equivalency credential approved by the State~~
19 ~~Board of Education;~~⁴ Possess a high school diploma, GED or HiSET in order to conduct classes²;
- 20 7. Cooperate in the administration of appropriate tests as required by the Commissioner of
21 Education, his/her designee or by a professional testing service in grades five (5), seven (7), and
22 nine (9);
- 23 8. Take action according to state law if home school student falls behind appropriate grade level;
- 24 9. ~~Submit proof to the director of schools that the home school student has been vaccinated as~~
25 ~~required by law;~~
- 26 10. Submit proof to the director of schools that other health services and examinations as required
27 by law have been received by the home school student; and
- 28 11. In the event of illness or inadequacy of the home school parent-teacher to teach a specific subject,
29 employ a tutor having the same qualifications as required of parent/teacher.

30 If one or more of these requirements are not met, the Board authorizes the director of schools to take
31 formal action to bring the child into compliance with the Compulsory Attendance Law (until the child
32 has reached age 17),⁵ either in the home school or in a public, private or church-related school.

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

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

10 The director of schools, through the attendance supervisor, shall have the attendance records of the home
 11 school inspected at least two (2) times each school year in order to provide assistance in implementing
 12 the Compulsory Attendance Law.

13 If a home school student falls more than one (1) year behind his appropriate grade level in his/her
 14 comprehensive test score for two (2) consecutive tests, and if a certified teacher who would have taught
 15 the child at his/her grade level determines through appropriate means that the student is not learning
 16 disabled, the director of schools shall require the parents to enroll the child in a public, private or church-
 17 related school.

18 **STUDENT PERFORMANCE³⁻⁵**

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

21

22

Legal Reference:

1. ~~TCA 49-6-3050~~ TCA 49-50-801(a)
2. ~~Public Acts of 2021, Chapter No. 493~~ TCA 49-6-3050(b)
3. ~~TCA 49-6-3050(b)(6)~~ TCA 49-6-3004(a);
TCA 49-6-3050(b)(3)
4. TCA 49-6-3050(b)(4); Public Acts of 2023, Chapter No. 114
5. TCA 49-6-3050(b)(6)

Cross Reference:

Compulsory Attendance Ages 6.201

Marshall County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Dress Code	Descriptor Code: 6.310	Issued Date: 08/14/23
		Rescinds: 6.310	Issued: 10/08/12

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

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

12 General Requirements

13 ~~In grades 7-12 or 6-12,~~ Depending on the grade configuration in each school **and age of the student,**
14 school administrators are responsible for enforcing the following standard school attire in a fair manner
15 while applying common sense. Violations will be handled in accordance with this policy.

- 16 1. All shirts must have shoulders and sleeves – no cleavage or midriffs.
- 17 2. Shorts, skirts, dresses, and skorts must not be shorter than 4 inches above the knee.
- 18 3. Bottom wear must be worn securely around the waist – no sagging.
- 19 4. Clothing must be free of holes, rips or tears that show skin above the knee.
- 20 5. Visible undergarments (bras, underwear, etc.) are not allowed.
- 21 6. Shoes must be worn at all times.
- 22 7. Clothing must be size appropriate and worn in the manner it was designed to be worn.
- 23 8. Nothing is to be worn on heads.
- 24 9. Jewelry must not be excessive and/or disruptive – such as chains, spikes, etc.

25 **SPECIAL DRESS** Schools may develop special dress days/special dress occasions for students at the
26 discretion of the school administration (examples: cheerleaders, FFA, FHA, etc.).

27 **SPECIAL** If a student cannot comply with the standardized dress code based on
28 **SITUATIONS** religious beliefs, his/her parent or guardian may write a letter explaining the
29 situation to the director of schools, with a copy to the school principal. Each case
30 will be dealt with on an individual basis.

1 **STUDENTS DRESSED INAPPROPRIATELY WILL BE SUBJECT TO DISCIPLINARY**
 2 **CONSEQUENCES AS OUTLINED BELOW:**

- 3 1st Offense: Warning, call parent for replacement clothing or correction by principal, i.e. rope, belt,
 4 string for trousers
 5 2nd Offense: Two hours of detention, Parental Conference, replacement clothing or correction by
 6 principal, i.e. rope, belt, string for trousers.
 7 3rd Offense: Defiance of Authority (refer to policy 6.313)

8 ***Alternative School***

9 In addition to the above guidelines, students attending the Alternative School will be required to comply
 10 with the following:

- 11 **PANTS** Pants are to be navy, black or khaki. Pants are to be worn at the waist. No
 12 undergarments are to be showing.
- 13 **BELTS** Belts must be worn at all times and meet the guidelines above. In general, belts
 14 should be as plain as possible.
- 15 **SHIRTS** Shirts must be white polo or button down with no logos. All buttons, except for
 16 the top button, are to be buttoned at all times. Sleeves, if long, are not to be rolled
 17 up, but should be buttoned at the wrist. Undershirts are to be white only. Shirts
 18 should be tucked in at all times (belt should be visible).
- 19 **SHOES** Tennis shoes are the only acceptable type/design to be worn. Shoes must be black,
 20 gray or white and shoestrings must match the color of the shoe. Shoestrings are to
 21 be tied tightly and all Velcro must be strapped. This is a safety precaution and will
 22 be enforced.
- 23 **JEWELRY** No jewelry, watches or sunglasses are to be worn or brought to school.
- 24 **FINGERNAILS** Fingernails must be clean and short. Artificial nails CANNOT be worn. Only clear
 25 polish is acceptable.
- 26 **PHYSICAL ED.** Gray short or gray sweatpants (must be worn at waist) and a white t-shirt. Shirt
 27 **ATTIRE** must be tucked in at all times
- 28 **OUTERWEAR** Jackets, coats, gloves and toboggans are allowed in cooler weather but are NOT
 29 to be worn in the halls or classrooms. These items will be checked in and hung in
 30 the designated area when a student enters the building. Likewise, they will be
 31 reissued when a student checks out in the afternoon.

Legal References:

1. TCA 49-6-4215; TCA 49-1-302(2)(j)

Cross References:

- Discipline Procedures 6.313
 Suspension/Expulsion/Remand 6.316

Marshall County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Alternative School Programs	Descriptor Code: 6.319	Issued Date: 07/12/21
		Rescinds: 6.319	Issued: 11/09/20

1 *General*

2 The board shall operate an alternative school program for students in grades seven through twelve (7-
3 12) who have been suspended or expelled from regular school programs.¹

4 An alternative program is a short-term intervention program designed to provide educational services
5 outside the regular school program for students who have been suspended or expelled. Alternative
6 programs may be located within the regular school or be a self-contained program within a school.

7 ~~Alternative school programs shall be operated in accordance with state laws and the rules of the State~~
8 ~~Board of Education, and instruction shall proceed as nearly as practicable in accordance with the~~
9 ~~instructional programs at the student's home school.²~~

10 **The alternative school and/or program shall be operated in accordance with state laws and the rules of**
11 **the State Board of Education, and instruction shall proceed as nearly as practicable in accordance with**
12 **the instructional program at the student's regular school.** The director of schools shall develop
13 procedures that provide appropriate educational opportunities for all students assigned to an alternative
14 education program. These educational opportunities shall utilize Tennessee's academic standards,
15 incorporate innovative teaching strategies, deliver research-based instructional techniques, and provide
16 the resources necessary to foster student learning and achievement.³²

17 **ASSIGNMENT**

18 Students who have been suspended for more than ten (10) days or expelled shall be assigned to the
19 alternative school or program if there is staff and space available.⁴³ Availability of staff and space shall
20 be determined at the time the disciplinary decision is rendered. The Director of Schools/designee shall
21 make this determination by evaluating factors including, but not limited to, the following:

- 22 1. Level of supervision available;
- 23 2. Safety considerations; and
- 24 3. Type of infraction.

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

- 27 1. A zero tolerance offense¹⁴; or
- 28 2. An offense of violence or threatened violence, or an offense that threatened the safety of other
29 students at the school, if the location of the alternative school or program is on the same grounds

1 as the school from which the student was disciplined or assigning the student to that location
2 would endanger the safety of the students or staff.^{4,5}

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

5 ~~Students who have committed zero tolerance offenses are not required to be assigned to alternative~~
6 ~~schools or programs.~~⁵

7 Prior to the assignment of the student to an alternative school program, the director of schools/designee
8 shall provide written notice to the student's parent/guardian stating the reason for the student's
9 placement.⁶

10 Placement in an alternative education setting shall be reserved for students who significantly disrupt the
11 educational process. If a student has an active Individualized Education Plan, a 504 plan, or is suspected
12 of having a disability, all state and federal laws, rules, and regulations related to special education shall
13 be followed. The director of schools/designee shall develop procedures regarding placement of students
14 in the program, taking into consideration the impact of exclusionary discipline practices.⁷

15 Attendance in alternative school programs shall be mandatory, and students attending an alternative
16 school located outside of the school district shall provide their own transportation.

17 The director of schools/designee shall monitor and regularly evaluate the academic progress of each
18 student enrolled in an alternative education program.

19 **REMOVAL⁸**

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

- 21 1. He/She violates the rules of the alternative school or program; or
- 22 2. He/She is not benefitting from the assignment and all interventions have been exhausted
23 unsuccessfully.

24 **ADDITIONAL OFFENSES⁹**

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

28 **TRANSITION PLANS¹⁰**

29 The director of schools/designee shall develop procedures regarding the implementation of transition
30 plans for the integration of students assigned to the alternative school.

Legal References:

1. TCA 49-6-3402(a); ~~State Board of Education Policy 2.302~~
TRR/MS 0520-01-02-.09
2. TRR/MS 0520-01-02-.09(9)(a)
3. TCA 49-6-3402(c)(1)(A)
4. TRR/MS 0520-01-02-.09(6)(a); TCA 49-6-3402(c)(1)(B)
5. TCA 49-6-3402(b); ~~TRR/MS 0520-01-02-.09~~ (c)(1)(C);
Public Acts of 2023, Chapter No. 279
6. TRR/MS 0520-01-02-.09(9)(i)
7. ~~State Board of Education Policy 2.302~~
TRR/MS 0520-01-02-.09(9)(h)
8. ~~Public Acts of 2020, Chapter No. 603~~
TCA 49-6-3402(c)(2)(B)
9. ~~Public Acts of 2020, Chapter No. 603; TRR/MS 0520-01-02-~~
~~.09(6)(a) TRR/MS 0520-01-02-.09(9)(g)(2)~~
10. TRR/MS 0520-01-02-.09(9)(h)(m)
11. ~~Public Acts of 2020, Chapter No. 603~~
12. ~~TRR/MS 0520-01-02-.09(m)~~
13. ~~Public Acts of 2021, Chapter No. 229~~

Cross References:

Special Education 4.202
Virtual Education Program 4.212
Suspension/Expulsion/Remand 6.316
Student Disciplinary Hearing Authority 6.317
Special Education Students 6.500

Marshall County Board of Education

Monitoring: Review: Annually in May	Descriptor Term: Physical Examinations and Immunizations	Descriptor Code: 6.402	Issued Date: 07/12/21
		Rescinds: 6.402	Issued: 01/11/21

1 **PHYSICAL EXAMINATIONS¹**

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

- 3 1. Entering school for the first time² and
- 4 2. Participating as a member of any athletic team or in any other strenuous physical activity
- 5 program.³

6 Cost of the examination shall be covered by the parent/guardian of the student. These records shall be
7 on file in the principal's office.

8 **Screening tests as recommended by the Tennessee Department of Education and the Department of**
9 **Health will be conducted. Parent(s)/guardian(s) will receive written notice of any screening result that**
10 **indicates a condition that might interfere with the student's progress. Parent(s)/guardian(s) may excuse**
11 **their student from participating in health screenings that are part of a coordinated school health program**
12 **by submitting a request in writing to the school nurse, instructor, school counselor, or principal.³**

13 **SCREENINGS**

14 ~~Screenings may be conducted periodically by Marshall County Schools as required by the Tennessee~~
15 ~~Department of Education and the Department of Health. Screenings may include blood pressure, body~~
16 ~~mass index, vision, hearing, scoliosis and dental. Parents/guardians will receive written notice of any~~
17 ~~screening result that indicates a condition that might interfere or tend to interfere with a student's~~
18 ~~progress. The school district will not conduct physical examinations of a student without parental consent~~
19 ~~or by court order, unless the health or safety of the student or others is in question.⁴~~

20

21 **IMMUNIZATIONS**

22 **Students will not be permitted to attend school without proof of immunization as determined by the**
23 **Commissioner of Health unless circumstances outlined in the state or federal law prevent a student from**
24 **producing such records. It is the responsibility of the parent(s)/guardian(s) to have their children**
25 **immunized and to provide such proof to the principal of the school which the student is to attend.⁴**

26 ~~No students entering school, including those entering kindergarten or first grade, those from out of state~~
27 ~~and those from nonpublic schools, will be permitted to enroll (or attend) without proof of immunization,~~
28 ~~as determined by the Commissioner of Public Health unless circumstances outlined in state or federal~~
29 ~~law prevent a student from producing such records.²⁻⁵ It is the responsibility of the parents or guardians~~

1 to have their children immunized and to provide such proof to the principal or designee of the school
2 which the student is to attend.⁵

3 Exceptions will be granted to any ~~child~~ **student** whose parent/guardian shall file with school authorities
4 a signed, written statement that such measures conflict with one of the following:

- 5 1. His/Her religious tenets and practices if in the absence of an epidemic or immediate threat of an
6 epidemic,⁵ ~~except in the event of a COVID-19 or any variant outbreak;~~⁶ or
- 7 2. Due to medical reasons if the student has a written statement from his/her doctor excusing
8 him/her from the immunization.⁷⁻⁶

9 The Director of Schools shall ensure that appropriate immunization records are maintained for each
10 student.

11

Legal References:

1. 20 USCA § 1232h(c)
2. TRR/MS 0520-01-03-08(2)(a) ~~0520-01-13-.01(1)(a)~~
3. TRR/MS 0520-01-03-08(2)(b) ~~Public Acts of 2023, Chapter No. 353; Tennessee School Health Screening Guidelines, https://www.tn.gov/content/dam/tn/education/csh/FINAL_Health_~~
4. TCA 49-6-5001(a),(c), ~~Public Acts of 2021, Chapter No. 513~~
5. TCA 49-6-5001(b)(2)-(3)
6. TCA 49-6-5001(c)(2)

Cross References:

Promoting Student Welfare 6.400