

# Policy Committee Meeting

August 12, 2024 5:30 PM

MCBOE

1. Call to Order	Julie Keny Cathey
2. 1.105 School Board Legislative Involvement	
3. 1.701 School District Planning	
4. 4.213 Family Life Education	
5. 4.301 Interscholastic Athletics	
6. 4.600 Grading System	
7. 4.603 Promotion and Retention	
8. 5.302 Sick Leave	
9. 5.307 Physical Assault Leave	
10. 5.701 Substitute Teachers	
11. 5.802 Qualifications and Duties of the Director of Schools	
12. 6.203 School Admissions	
13. 6.310 Dress Code	
14. 6.316 Suspension/Expulsion/Remand	
15. 6.313 Discipline Procedures	
16. 6.309 Zero Tolerance Offenses	
17. 6.4052 Opioid Antagonist	
18. 6.409 Reporting Child Abuse	
19. Adjourn	Julie Keny Cathey

**NEW POLICY**

<b>Marshall County Board of Education</b>			
Monitoring: <b>Review: Annually, in July</b>	Descriptor Term: <b>School Board Legislative Involvement</b>	Descriptor Code: <b>1.105</b>	Issued Date: <b>08/12/24</b>
		Rescinds:	Issued:

1 The Board shall work for the passage of new laws designed to improve public education in Tennessee.  
2 Likewise, the Board shall work for the repeal or modification of existing laws and for the defeat of  
3 proposed laws that impede this cause.

4 To accomplish this:

- 5 1. The Board shall stay informed of pending legislation and actively communicate its concerns  
6 and make its position known to their elected representatives at both the state and national level;
- 7 2. The Board shall work with other school boards in the state, other local officials, and  
8 community groups in creating public awareness and support for legislative priorities;
- 9 3. The Board shall annually select one (1) of its members to serve as its legislative liaison;
- 10 4. The Board shall work with its legislative liaison, TSBA, and other concerned groups in  
11 developing an annual legislative program; and
- 12 5. The Board shall include in its budget appropriate resources to cover costs, including travel  
13 expenses, necessary to ensure active participation in the legislative process.

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Cross References

Board Member Development Opportunities 1.204

# Marshall County Board of Education

Monitoring: <b>Review: Annually, in August</b>	Descriptor Term: <b>School District Planning</b>	Descriptor Code: <b>1.701</b>	Issued Date: <b>08/12/24</b>
		Rescinds: <b>1.701</b>	Issued: <b>09/17/18</b>

1 *General*

2 The Board shall develop and implement a written five (5) year strategic plan that addresses identified  
3 priority needs and provides for continuous student growth and improvement. The plan shall be updated  
4 every two (2) years and shall align with requirements of the State Board of Education.<sup>1</sup>

5 The Director of Schools shall develop necessary procedures, forms, or other measures to implement this  
6 policy.

7 **BOARD IMPROVEMENT PLAN FOR THE DISTRICT<sup>1</sup>**

8 The Board shall develop annual plans with specific goals for improving student performance and that  
9 operationalize the district's five (5) year strategic plan. **This will be incorporated into the TISA**  
10 **accountability report that must be approved by the Board and filed with the Department of Education**  
11 **each November 1<sup>st</sup>.**<sup>2</sup>

12 The Board shall plan an annual retreat with the Director of Schools and appropriate staff. The purpose  
13 of the retreat shall be to:

- 14 1. Review progress on the implementation of priorities, initiatives, and long-range plans;
- 15 2. Determine which goals have been achieved and whether any new efforts are needed;
- 16 3. Review major issues that may affect the school system in the future; and
- 17 4. Create an annual plan for district improvement.

18 **SCHOOL IMPROVEMENT PLAN<sup>1</sup>**

19 The principal of each school shall work with the Director of Schools or his/her designee to develop and  
20 implement a school improvement plan that is student focused and in support of the board improvement  
21 plan. The plan shall be updated annually and address the long-range strategic plan of the school district.<sup>1</sup>

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Legal References:

1. **TRR/MS 0520-01-02-.31(8)**; State Board of Education Policy 2.101; TCA 49-1-613
2. **TCA 49-3-112**

Cross References:

- Role of the Board of Education 1.101  
Qualifications and Duties of the Director of Schools 5.802  
**In-Service and Professional Learning Opportunities 5.113**



# Marshall County Board of Education

Monitoring: <b>Review: Annually, in November</b>	Descriptor Term:  <b>Family Life Education</b>	Descriptor Code: <b>4.213</b>	Issued Date: <b>08/12/24</b>
		Rescinds:	Issued: <b>06/14/21</b>

1 *General*

2 A family life education program shall be implemented within the school district in compliance with state  
3 law.<sup>1</sup>

4 A parent/guardian who chooses not to have a student participate in the family life education program  
5 shall submit such request in writing to the principal. A student who is excused from the program shall  
6 be assigned alternative health activities and shall not be penalized academically.

7 **FAMILY LIFE INSTRUCTION**

8 The curriculum for the family life education program shall, in a manner that is age-appropriate and  
9 factually and medically accurate, include the following:<sup>2</sup>

- 10 1. Teach the skills needed to make healthy decisions in all aspects of marriage and family life;
  - 11 2. Encourage sexual health by helping students understand how the whole person is affected by  
12 sexual activity as well as other risk behaviors;
  - 13 3. Provide information about human reproduction, including conception, birth, and prenatal care,  
14 as well as the process of adoption and its benefits;
  - 15 4. Provide information on the family unit and the responsibilities and consequences related to sexual  
16 activity, including the challenges of single teen parenting;
  - 17 5. Promote only sexual risk avoidance through abstinence and the positive results of avoiding sexual  
18 activity;
  - 19 6. Provide instruction on the detection, intervention, prevention, and treatment of child sexual  
20 abuse, including such abuse that may occur in the home, and human trafficking in which a victim  
21 is the child, **and internet crimes against children;**
  - 22 7. Provide instruction on the prevention of dating violence;
  - 23 8. Encourage communication between parent(s)/guardian(s) and students; and
  - 24 9. Address the legal aspects of sexual activity with emphasis on the rights of the student; **and**
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1        10. Include the presentation of a high-quality, computer-generated animated or high-definition  
2            ultrasound of at least three (3) minutes in duration that shows the development of the brain, heart,  
3            and other vital organs in early fetal development per state academics standards.<sup>3</sup>

4        Instruction in topics related to sexual activity are not age-appropriate for students in grades kindergarten  
5            through five (K-5) and shall not be taught as part of the family life curriculum. This does not prohibit  
6            instruction on detection, intervention, prevention, and treatment of child sexual abuse and human  
7            trafficking of children.<sup>4</sup>

8        The family life education program shall be reviewed annually to ensure that the prohibited items of  
9            instruction, as provided for in state law,<sup>3-5</sup> are not included in the curriculum.

## 10        **TRAINING ON INSTRUCTION**

11        Personnel providing family life instruction shall receive training prior to presenting such instruction.  
12        Personnel shall conduct such instruction with maturity and discretion.

## 13        **REPORTING<sup>2</sup>**

14        At the beginning of each school year, the Director of Schools shall provide the contact information to  
15            the Department of Children’s Services of each employee or trained professional providing instruction  
16            on family life curriculum related to child sex abuse, human trafficking, and internet crimes. The Director  
17            shall also report on the curriculum selected by the Board of Education.

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### Legal References:

1. ~~TCA 49-6-1302; Public Acts of 2021, Chapter No. 290~~
2. TCA 49-6-1304; Public Acts of 2024, Chapter No. 571
3. Public Acts of 2024, Chapter No. 795
4. Public Acts of 2024, Chapter No. 970
5. TCA 49-6-1304(b)

# Marshall County Board of Education

Monitoring: <b>Review: Annually, in November</b>	Descriptor Term: <b>Interscholastic Athletics</b>	Descriptor Code: <b>4.301</b>	Issued Date: <b>08/12/24</b>
		Rescinds: <b>4.301</b>	Issued: <b>11/13/23</b>

1 No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, be  
2 treated differently from another person, or otherwise be discriminated against in any athletic program of  
3 the school. Equal athletic opportunity shall be provided for members of both sexes.<sup>1</sup> Student athletes  
4 shall only be allowed to participate in athletic activities or events that align with the student's sex  
5 indicated on his/her original birth certificate.<sup>2</sup> The Director of Schools/designee shall require the  
6 parent/guardian to provide the student's original birth certificate prior to participation in any  
7 interscholastic athletics. If the original birth certificate is not available or does not indicate the student's  
8 sex at the time of birth, the parent/guardian shall provide medical documentation showing evidence of  
9 the student's sex at birth.

10 Interscholastic athletics shall be administered as a part of the regular school program and shall be the  
11 principal's responsibility. Principals shall ensure that school regulations regarding participation in a sport  
12 are reasonable. Athletic schedules shall be filed in each school principal's office. The principal or his/her  
13 designee must accompany an athletic team on trips. Transportation of teams to athletic games is approved  
14 by the Board, provided the team's school reimburses the Board for mileage.

15 Bylaws of the Tennessee Secondary School Athletic Association shall regulate the operation and control  
16 of athletics.<sup>3</sup> The Director of Schools shall develop a code of conduct for all coaches to follow in order  
17 to ensure the health and safety of athletes.<sup>4</sup>

## 18 **INSURANCE & PHYSICAL EXAMINATIONS**

19 In the event that the school's insurance provider does not extend coverage to an athlete, that athlete must  
20 provide proof of independently secured catastrophic coverage and liability coverage, with the school  
21 system as a named insured, of not less than the limits set forth in TCA § 29-20-403.<sup>5</sup>

22 There shall be a complete annual physical examination of every student prior to his/her participation in  
23 interscholastic athletics.<sup>6</sup> Cost of the examination shall be borne by the parent or guardian of the student.  
24 These records shall be on file in the principal's office. It shall be the responsibility of the parent(s) or  
25 guardian(s) to provide health and hospitalization insurance for all students participating in interscholastic  
26 athletics.

## 27 **SCHEDULING CONFLICTS**

28 No principal or teacher of any school under the control of the Board shall dismiss his/her school or any  
29 group of students for the purpose of attending the practice of any interscholastic sport during the school

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1 day without written permission from the Board.<sup>7</sup> This does not prevent the inclusion of regular physical  
2 training lessons in the daily school program.

3 Students shall not be required to attend a school athletic event, or event related to participation on a  
4 school athletic team, if the event is on an official school holiday, observed day of worship, or religious  
5 holiday. The student's parent or legal guardian shall notify the coach in writing three (3) full school days  
6 prior to the event.<sup>8</sup>

7 ~~A homeschooled student may participate in interscholastic athletics at the public school to which the  
8 student would be assigned provided the student meets the academic, conduct, and health standards  
9 required of other participants. The student must register with the LEA for homeschool and must file the  
10 student's intent to participate in athletics before the first official practice date in the sport.~~

11 ~~Students shall not be disqualified from participation on a school athletic team solely on the basis of  
12 participation in another sport except where the season overlaps by more than two weeks.~~

### 13 **SEVERE WEATHER<sup>4</sup>**

14 Severe weather is any type of weather that could impede the safety of any athlete by compromising the  
15 playing conditions of the interscholastic sport. Severe weather includes, but is not limited to, thunder,  
16 lightning, and extreme temperatures. When severe weather is forecasted, suspension of play shall be  
17 discussed with all players, coaches, and officials, if applicable.

18 All coaches who oversee or participate in outdoor training, practice, or competition shall annually  
19 complete a heat illness prevention course approved by the Tennessee Department of Health as well as  
20 receive training on activity modifications based on environmental conditions.

### 21 **PROHIBITION AGAINST HAZING**

22 Coaches, employees, and volunteers of the school district shall not encourage, permit, condone, or  
23 tolerate hazing activities.<sup>9</sup>

### 24 **PERSONAL CONDUCT AT SPORTING EVENTS**

25 Good sportsmanship and appropriate personal conduct are expected from all student athletes, coaches,  
26 and spectators.

27 In the event any student of Marshall County Schools behaves in a manner that violates the Code of  
28 Acceptable Behavior, the school administration will impose appropriate discipline.

29 Additionally, if any spectator, whether student or adult, behaves in a manner that results in  
30 TMSAA/TSSAA imposing a fine on the school for unruly behavior, then any such person will be barred,  
31 for a minimum of two weeks, from attending any extracurricular activities of the Marshall County  
32 Schools and will be required to reimburse the board the amount of the fine. Failure to reimburse the  
33 board will result in a continued suspension from any and all Marshall County Schools extracurricular  
34 activities for the remainder of the school year or until such fine has been reimbursed to the Board.

35 A second offense will result in a one calendar year suspension from any and all Marshall County Schools  
36 extracurricular activities and will be required to reimburse the board the amount of the fine. Failure to

1 reimburse the board will result in a confirmed suspension from any and all Marshall County Schools  
2 extracurricular activities until such fine has been reimbursed to the board.

3 **HOME SCHOOL STUDENT PARTICIPATION** <sup>10</sup>

4 Home school students shall be permitted to participate in accordance with TSSAA or TMSAA  
5 guidelines. If a school is not a member with these organizations, home school students that are zoned  
6 for the school shall be permitted to participate in interscholastic athletics to the same extent as other  
7 students.

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Legal References:

1. Title IX, Education Amendment of 1972, 20 U.S.C. §1681, et seq.; 34 CFR §106.41
2. ~~TRR/MS 0520-1-2-.08(1)~~ TCA 49-6-310(a)
3. ~~TRR/MS 0520-1-3-.08(2)(b)~~ -01-02-.08(1)
4. ~~TCA 49-6-1002~~ TCA 49-6-3601
5. ~~TCA 49-2-120~~ TCA 29-20-403
6. ~~Public Acts of 2017, Chapter No. 260~~ 20 USCA § 1232h(c); TRR/MS 0520-01-13-.01(1)(a)
7. ~~Public Acts of 2021, Chapter No. 40~~ TCA 49-6-1002(a)
8. ~~Public Acts of 2021, Chapter No. 272~~ TCA 49-6-1002(c)
9. TCA 49-2-120
10. Public Acts of 2024, Chapter No. 639

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Cross Reference:

Special Use of School Vehicles 3.402  
Extracurricular Activities 4.300  
Attendance 6.200

# Marshall County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Grading System</b>	Descriptor Code: <b>4.600</b>	Issued Date: <b>08/12/24</b>
		Rescinds: <b>4.600</b>	Issued: <b>08/14/17</b>

1 The director of schools shall develop an administrative procedure to establish a system of grading and  
2 assessment for evaluating and recording student progress and to measure student performance in  
3 conjunction with Board-adopted content standards for grades K-8.<sup>1</sup> The grading/assessment system shall  
4 follow all applicable statutes and rules and regulations of the State Board of Education.<sup>2</sup> The  
5 grading/assessment system shall be uniform district-wide at comparable grade levels except that the  
6 director of schools shall have the authority to establish and operate ungraded and/or unstructured classes  
7 in grades K-3 according to state rules and regulations.<sup>1</sup>

8 The director of schools shall submit a copy of the grading, reporting and assessment systems to the Board  
9 before the system is implemented.<sup>2</sup> These guidelines shall be communicated annually to students and  
10 parents/guardians.<sup>1</sup>

11 Conduct grades are based on behavior and shall not be deducted from scholastic grades.

## 12 **GRADING SYSTEM: GRADES TWO – TWELVE (2-12)<sup>1</sup>**

13 Schools teaching grades two through twelve shall use the uniform grading system established by the  
14 State Board of Education. Using the uniform grading system, students' grades shall be reported for the  
15 purposes of application for post-secondary financial assistance administered by the Tennessee Student  
16 Assistant Corporation.

17 Subject-area grades shall be expressed by the following letters with their corresponding percentage  
18 range:

- 19 • A (90-100)
- 20 • B (80-89)
- 21 • C (70-79)
- 22 • D (60-69)
- 23 • F (0-59)

24 This grading system shall be uniform throughout the school system for each grade.

25 Advanced coursework grades will be weighted with additional percentage points to calculate the  
26 semester average. Depending on the course taken, the following percentage points will be assigned:

- 27 • Honors Courses – three (3) percentage points;
- 28 • Local and Statewide Dual Credit, Capstone Industry Certification Aligned, and ~~Dual Enrollment~~  
29 ~~Courses~~ – four (4) percentage points; and

- 1       • Advanced Placement, Cambridge International, College Level Exam Program (CLEP),  
2       International Baccalaureate Courses, **and Dual Enrollment Courses** – five (5) percentage points.

### 3       **LOTTERY SCHOLARSHIPS<sup>3</sup>**

4       Each school counselor shall provide incoming freshmen with information on college core courses  
5       required for lottery scholarships as well as necessary criteria (grade point average, ACT, and SAT score,  
6       etc.) that must be met in order to receive a scholarship.

7       Seniors may apply for the Tennessee HOPE Scholarship by completing the Free Application for Federal  
8       Student Aid (FAFSA). The FAFSA is available at the guidance office or on-line at [www.fafsa.ed.gov](http://www.fafsa.ed.gov).  
9       Students shall be made aware of all applicable FAFSA deadlines and encouraged to submit applications  
10      in a timely manner. The priority date for FAFSA completion is May 1.

11      Elementary school counselors should explain the HOPE Scholarship and its requirements to their  
12      students and impress upon them the benefits of making good grades.

### 13      **LOTTERY SCHOLARSHIP DAY**

14      Each school year, prior to scheduling courses for the following school year, schools teaching students in  
15      grades 8-11 shall conduct a lottery scholarship day for students and their parents.<sup>4</sup>

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#### Legal References:

1. ~~TRR/MS 0520-01-03-.02; SBOE Policy 3.301;  
Public Acts of 2022, Chapter No. 1080  
TCA 49-2-203(b)(16); TCA 49-2-301(b)(1)(H)~~
2. ~~TCA 49-2-203(b)(7); TCA 49-2-301(b)(1)(H)~~  
TRR/MS 0520-01-03-.02; State Board of  
Education Policy 3.301; TCA 49-6-407
3. TCA 49-4-904, 905, 907
4. TCA 49-4-932(f)

#### Cross References:

Alternative Credit Options 4.209  
Credit Recovery 4.210  
Reporting Student Progress 4.601  
Class Ranking 4.602  
K-3 Promotion and Retention 4.603  
Transcript Alterations 4.608

# Marshall County Board of Education

Monitoring: <b>Review: Annually, in November</b>	Descriptor Term: <b>Promotion and Retention</b>	Descriptor Code: <b>4.603</b>	Issued Date: <b>08/12/24</b>
		Rescinds: <b>4.603</b>	Issued: <b>09/12/22</b>

## 1 *General*

2 All promotion and retention decisions shall be made on a case-by-case basis and comply with state and  
3 federal law. All decisions shall be made in consultation with a student's IEP and/or 504 team, if  
4 applicable<sup>1</sup>

5 Students who have difficulty in achieving the requirements for promotion may be considered for  
6 retention. Schools shall identify these students by February 1<sup>st</sup>. Factors used to identify students for  
7 retention shall include:<sup>2</sup>

- 8 1. Ability to perform at the current grade level;
- 9 2. Results of local assessments, screening, or monitoring tools;
- 10 3. State assessments, as applicable;
- 11 4. Home Literacy Reports;<sup>3</sup>
- 12 5. Overall academic achievement of the student;
- 13 6. Likelihood of success with more difficult material if promoted to the next grade;
- 14 7. Attendance record; and
- 15 8. The student's maturity.

16 Students may be identified for retention after the February 1<sup>st</sup> deadline if the delay in identifying a student  
17 is due to<sup>4</sup>:

- 18 1. Date of enrollment; or
- 19 2. Additional information acquired after results of local assessment, screening, or monitoring are  
20 released.

## 21 **VOLUNTARY RETENTION**

22 A parent/guardian of a student enrolled in kindergarten through second grade may choose to retain  
23 his/her student in the current grade level if:

- 24 1. The student has a documented academic or behavioral delay; and
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2. The parent/guardian believes that retention may benefit the student.<sup>5</sup>

## PROMOTION PLANS<sup>6</sup>

When a student is identified for retention, the student's parent(s)/guardian(s) shall be notified within fifteen (15) calendar days, and an individualized promotion plan shall be developed to help the student avoid retention. The plan shall be developed in coordination with the student's teachers, IEP or 504 team, if applicable, and may also include input from the student's parent(s)/guardian(s), school counselor, or other appropriate school personnel.

Promotion plans shall incorporate evidence-based strategies, including expectations and measurements that will verify whether a student has made sufficient progress to be promoted to the next grade level, and be tailored to the student's learning needs. Promotion plans for students in third and fourth grade will include additional requirements for promoting students in these grades. A copy of the plan will be provided to the student's parent(s)/guardian(s), and the school shall offer the opportunity for a parent-teacher conference to discuss the plan. If a student is not making progress on the promotion plan, then the strategies shall be modified. Parent(s)/guardian(s) shall be provided with any changes to the promotion plan.

A student who demonstrates sufficient academic progress according to his/her promotion plan shall be promoted to the next grade level unless retention is required per additional requirements for students in third and fourth grade.<sup>7</sup>

If a student has not demonstrated sufficient academic progress according to his/her promotion plan by the end of the school year, the student shall be eligible to enroll in a summer reading or learning program, if available. Parent(s)/guardian(s) shall be notified of a decision for retention at least ten (10) calendar days prior to the start of the next school year if the student was enrolled in a summer program. However, if the student wasn't enrolled in a summer program, the parent(s)/guardian(s) shall be notified of a decision for retention at least thirty (30) calendar days prior to the start of the next school year.<sup>8</sup>

The director shall develop procedures governing how decisions on retention will be made after the student begins work on his/her individualized promotion plan.

## RETENTION<sup>7</sup>

A student may be retained when such retention is in the best interests of the student or when retention is required per additional requirements for students in third and fourth grade.

### *Decision of Retention – General<sup>9</sup>*

If a student is retained, the Director of Schools/designee shall develop an individualized academic remediation plan within thirty (30) calendar days after the beginning of the next school year. A copy of the plan shall be provided to the student's parent(s)/guardian(s) within ten (10) calendar days of its development. The plan shall include at least one of the following strategies:

1. Adjustment to the current instructional strategies or materials;
2. Additional instructional time;

- 1        3. Individual tutoring;
- 2        4. Modification to the student’s classroom assignment to ensure the student receives instruction
- 3            from a teacher with a level of overall effectiveness of above expectations (level 4) or significantly
- 4            above expectations (level 5); or
- 5        5. Attendance or truancy interventions.

6        A student shall not be retained more than once in any grade. The progress of students who are retained  
7 shall be closely monitored and reported to parent(s)/guardian(s) at least three (3) times during the school  
8 year in which the student is retained. The Director of Schools shall develop procedures to ensure  
9 appropriate recordkeeping of students who are retained.

#### 10    *Decision of Retention – Third Grade<sup>10</sup>*

11        Third grade students shall not be promoted to the next grade unless they are determined to be proficient  
12 (i.e., receive a performance level rating of “on track” or “mastered”) in English language arts (ELA)  
13 based on the student’s most recent TCAP test.

14        Students who are not proficient in ELA may still be promoted if the following conditions are met:

- 15        1. A student in third grade receiving a performance level rating of “approaching” on the ELA  
16            portion of the student’s most recent TCAP test may be promoted if:
  - 17            a. The student is an English language learner and has received less than two (2) full years of
  - 18            ELA instruction;
  - 19            b. The student was previously retained in grades K-3;
  - 20            c. The student is retested before the next school year and scores proficient in ELA;
  - 21            d. The student attends a learning loss bridge camp before the next school year, maintains a
  - 22            ninety percent (90%) attendance rate, and demonstrates adequate growth on the post-test at
  - 23            the end of the camp; or
  - 24            e. The student receives tutoring for the entirety of the next school year in accordance with
  - 25            state law.
  - 26            f. **Beginning with the 2023-2024 school year, the student demonstrates proficiency in ELA**
  - 27            **standards by scoring within the fiftieth percentile on the most recently administered state-**
  - 28            **provided benchmark assessment and the district provides tutoring services to the student**
  - 29            **during the entire fourth grade school year and notifies the student’s parent/guardian, in**
  - 30            **writing, of the benefits of enrolling the student in summer programming.**
- 31        2. A student in third grade receiving a performance level rating of “below” on the ELA portion of  
32            the student’s most recent TCAP test may be promoted if:
  - 33            a. The student is an English language learner and has received less than two (2) full years
  - 34            of ELA instruction;
  - 35            b. The student was previously retained in grades K-3;
  - 36            c. The student is retested before the next school year and scores proficient in ELA; or
  - 37            d. The student attends a learning loss bridge camp before the next school year, maintains a
  - 38            ninety percent (90%) attendance rate, and receives tutoring for the entirety of the next
  - 39            school year in accordance with state law.
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1 *Decision of Retention – Fourth Grade*<sup>10</sup>

2 Students in the following categories shall show adequate growth in the following ways before being  
3 promoted to the fifth grade:

- 4 1. A student who is promoted to the fourth grade due to receiving tutoring for the entirety of the  
5 next school year in accordance with state law or because of attending a learning loss bridge camp  
6 must maintain a ninety percent (90%) attendance rate; and
- 7 2. A student receiving tutoring for the entirety of the next school year in accordance with state law  
8 shall be required to show adequate growth on the fourth grade ELA portion of TCAP before the  
9 student may be promoted to fifth grade.

10 *If a student that was promoted to fourth grade under one of the provisions above does not demonstrate*  
11 *adequate growth on the fourth-grade ELA portion of the TCAP test, then the following shall occur:*

- 12 1. The student's principal shall convene a conference consisting of the following parties: the  
13 student's parent(s)/legal guardian, the student's ELA teacher, and the student's principal.
- 14 2. The conference shall review the student's fourth grade ELA performance to determine if the  
15 student should be promoted to fifth grade.
- 16 3. At the conclusion of the conference, a majority of the parties shall agree to one of the following:  
17 a. The student will be promoted to fifth grade and be assigned a tutor for the entirety of the  
18 student's fifth-grade year; or  
19 b. The student will be retained in fourth grade.

20 A student shall not be retained more than once in fourth grade.

21 *Decision of Retention – Students with Disabilities*<sup>11</sup>

22 Retention and promotion decisions shall be made on a case-by-case basis and in consultation with the  
23 student's IEP and/or 504 team to determine whether the student's performance on the ELA portion of  
24 TCAP was due to the student's disability. The school district shall not retain a student with a disability  
25 or a suspected disability that impacts their ability to read.

26 **APPEALS**<sup>8,12</sup>

27 When a student is identified for retention, the parent(s)/guardian(s) shall be notified about the decision  
28 to retain the student and provided with information on the right to appeal the decision. Appeals shall be  
29 made to a committee appointed by the principal within 5 days. The student and his/her  
30 parent(s)/guardian(s) shall be provided written or actual notice of the appeal hearing and shall be given  
31 the opportunity to address the committee. The committee shall conduct a hearing within 5 days to  
32 determine if the student will be promoted and issue such a decision within 5 days. Upon notification of  
33 the committee decision, the principal shall send written notification to the Director of Schools/designee  
34 and the parent(s)/guardian(s). The notification shall advise parent(s)/guardian(s) of their right to appeal  
35 such action within 5 days to the Director of Schools/designee.

36 The appeal shall be heard no later than ten (10) business days after the request for appeal is received. A  
37 decision shall be issued within 5 days.

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

5 For students where retention is required per the additional requirements for students in third and fourth  
6 grade, parent(s)/guardian(s) may appeal this decision directly to the Department of Education in  
7 accordance with state law.<sup>13</sup>

## Legal References:

1. 20 USCA § 1400 *et seq.*; 29 U.S.C. § 794 (Section 504); TRR/MS 0520-01-03-.16; TCA 49-6-3115
2. TRR/MS 0520-01-03-.16(5)
3. TCA 49-1-905(e)
4. TRR/MS 0520-01-03.16(4)
5. **Public Acts of 2024, Chapter No. 829**
6. TRR/MS 0520-01-03-.16(6)
7. TRR/MS 0520-01-03-.16(6)(f)
8. TRR/MS 0520-01-03-.16(6)(e)
9. TRR/MS 0520-01-03-.16(6)(g)
10. TRR/MS 0520-01-03-.16(7)
11. 29 U.S.C. § 794 (Section 504); 20 USCA § 1400 *et seq.*; TRR/MS 0520-01-03-.16(7)(e) **Public Acts of 2024, Chapter No. 989**
12. TRR/MS 0520-01-03-.16(3); TRR/MS 0520-01-02-.17(7); TCA 49-6-3102(e)(1)
13. TRR/MS 0520-01-03-.16(7)(f)

## Cross References:

Credit Recovery 4.210  
Grading System 4.600  
Reporting Student Progress 4.601  
Attendance 6.200  
Student Assignments 6.205  
Homeless Students 6.503  
Student Records 6.600

# Marshall County Board of Education

Monitoring: <b>Review: Annually, in February</b>	Descriptor Term:  <b>Sick Leave</b>	Descriptor Code: <b>5.302</b>	Issued Date: <b>08/12/24</b>
		Rescinds: <b>5.302</b>	Issued: <b>08/14/23</b>

## 1 PROFESSIONAL PERSONNEL

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

4 Sick leave shall be defined as: illness of a teacher from natural causes or accident, quarantine, or illness  
5 or death of a member of the immediate family of a teacher, including the teacher's 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.<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 certificate from the physician on forms furnished by the Board may be required in support of any  
12 claim for sick leave pay.<sup>4</sup>

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.<sup>3</sup>

## 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 employees<sup>4</sup> who have suffered an  
13 unplanned personal illness, injury, disability, or quarantine and whose personal sick leave is exhausted.

14 **There shall be a waiting period of \_\_\_\_\_ consecutive duty days (excluding extensions for the same illness**  
15 **or injury) following the exhaustion of all available "paid leave" before days from the Bank may be used.**

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

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

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

31 By written notice to the trustees, an employee may withdraw from bank participation on June 30 of any  
32 year.<sup>9</sup> Membership withdrawal results in forfeiture of all days contributed.

33 The sick leave bank shall be operated in accordance with state law.<sup>10</sup>

34

## 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. 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: <b>Review: Annually, in February</b>	Descriptor Term: <b>Physical Assault Leave</b>	Descriptor Code: <b>5.307</b>	Issued Date: <b>08/12/24</b>
		Rescinds: <b>5.307</b>	Issued: <b>07/10/23</b>

1 *General*

2 **Employees shall be notified of their right to report a physical assault to the appropriate law enforcement**  
3 **agency.<sup>1</sup>**

4 **An ~~employee teacher~~ who is absent from assigned duties as a result of personal injury caused by physical**  
5 **assault or other violent criminal acts committed in the course of the teacher's employment duties, shall**  
6 **receive his/her full salary and full benefits until the teacher is released by his/her physician to return to**  
7 **work or his/her physician determines the ~~employee teacher~~ is permanently unable to return to work.**  
8 **Hourly employees shall receive an amount representing the average number of hours the employee works**  
9 **for the district per pay period along with their full benefits, if available, until the employee is released**  
10 **by his/her physician to return to work or his/her physician determines the employee is permanently**  
11 **unable to return to work. An hourly employee is not eligible to receive the continued pay and benefits**  
12 **if he/she has been employed by the district for less than one (1) full pay period.<sup>2</sup>**

13 **If the ~~employee teacher~~ receives workers' compensation or other similar benefits, the Board shall pay**  
14 **the difference between that amount and the ~~employee's full salary or average pay, as applicable.~~<sup>2</sup> The**  
15 **district shall pay the full salary or average salary, or the difference between the ~~employee's teacher's full~~**  
16 **salary or average pay, as applicable, and the workers' compensation or similar benefits, if any, for up to**  
17 **one (1) year. <sup>+</sup>**

18 **PHYSICIAN STATEMENT**

19 **A signed statement listing the cause of the absence shall be provided by the employee on forms furnished**  
20 **by the director of schools and shall promptly be given to the immediate supervisor in support of all**  
21 **claims. A certificate from the physician on forms furnished by the director of schools may also be**  
22 **required to verify the extent of the injury.<sup>3</sup>**

Legal References:

1. **Public Acts of 2024, Chapter No. 915**
2. **TCA 49-5-714(a); Public Acts of ~~2023~~ 2024, Chapter No. ~~343~~ 839**
3. **TRR/MS 0520-01-02-.04 (4)(b)**

Cross References:

Worker's Compensation 3.602  
Sick Leave 5.302  
Long Term Leaves of Absence 5.304

# Marshall 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>08/12/24</b>
		Rescinds: <b>5.701</b>	Issued: <b>08/08/22</b>

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

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

## 7 **APPLICATION/QUALIFICATIONS**

8 Criminal history record checks and fingerprinting of applicants for substitute teacher are required.<sup>3</sup>

9 Applicants whose records with the State Department of Education indicate a license or certificate  
10 currently in revoked status shall not be hired.<sup>4</sup>

11 Qualifications for substitute teachers shall be a high school diploma or GED and attendance at a  
12 substitute training session.

13 The substitute teacher lists will be prepared by the personnel director who will maintain a complete file  
14 on all substitute teachers. This file will include transcripts, credentials, recommendations and other  
15 pertinent information. A list of all approved substitutes shall be provided to all building principals. **Only**  
16 those persons on the approved substitute list shall be employed to substitute teach.

## 17 **COMPENSATION**

18 The compensation of substitute teachers is determined annually by the Board.

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

## 22 **CERTIFICATION**

23 When substituting for a regular teacher who has been absent for twenty (20) consecutive days, a  
24 substitute teacher shall possess a teaching certificate with endorsement in the discipline(s) to be taught  
25 or shall be a retired teacher that held the appropriate endorsement.<sup>6</sup> When substituting for a teacher  
26 without sick leave, the substitute shall be certified and paid according to the state salary schedule.<sup>1</sup>

27

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## 1 **EMERGENCY NEEDS**

2 All teacher aides, secretaries and clerks are approved substitute teachers for use in emergency situations.  
3 Emergency use shall be defined as less than a full day due to the regular or substitute teacher being  
4 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 providing appropriate training and development  
10 programs for substitute teachers **that includes the annual school safety training required by state law<sup>7</sup>**.

11 All substitute teachers shall be required to attend an orientation session held at the beginning of each  
12 school year to provide instructions regarding reporting, pay schedules, and other pertinent information  
13 and to answer questions.

14 Substitute teachers shall assume the same responsibilities and have the same authority as the regular  
15 teacher, including bus duty and playground supervision.

## 16 **RE-EMPLOYMENT/TERMINATION**

17 On an annual basis, the director of schools, with input from the principals, shall determine which  
18 substitute teachers performed at an acceptable level. Substitute teachers who performed below an  
19 acceptable level shall not be re-employed.

20 All substitutes shall be responsible for providing correct addresses and phone numbers and for notifying  
21 the principal if they wish to terminate their service as substitutes.

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### Legal References:

1. TRR/MS 0520-1-2-.04(5)
2. TCA 49-5-709
3. TCA 49-5-413(a)(2)
4. TCA 49-2-203(a)(14)(C)
5. TCA 49-3-312(b)
6. TCA 49-3-312(a); TRR/MS 0520-01-02-.04(5)(b)
7. **Public Acts of 2024, Chapter No. 735; TCA 49-6-805(7)**

### Cross References:

- Background Investigations 5.118
- Employment of Retirees 5.119

# Marshall County Board of Education

Monitoring: <b>Review: Annually, in March</b>	Descriptor Term: <b>Qualifications and Duties of the Director of Schools</b>	Descriptor Code: <b>5.802</b>	Issued Date: <b>08/12/24</b>
		Rescinds: <b>5.802</b>	Issued: <b>06/14/21</b>

## 1 QUALIFICATIONS

- 2 1. A professional educator's license
- 3 2. A master's degree in education with a preference for a doctorate degree
- 4 3. Three years of successful experience in school administration
- 5 4. Such other qualifications as the Board deems desirable

6 **REPORTS TO:** The Board of Education

7 **SUPERVISES:** All administrative and supervisory personnel in the district

8 **JOB GOAL:** To provide leadership in developing and maintaining the best possible educational  
9 programs and services in a safe learning environment.

10 **SCOPE OF RESPONSIBILITY:** The management responsibilities of the director of schools shall  
11 extend to all activities of the district, to all phases of the educational program, to all aspects of the  
12 financial operation, to all parts of the physical plant, and to the conduct of such other duties as may be  
13 assigned by the Board. The director of schools may delegate these duties together with appropriate  
14 authority, but may not delegate nor relinquish ultimate responsibility for results or any portion of  
15 accountability.

## 16 ESSENTIAL FUNCTIONS:

### 17 General Administrative

- 18 1. Provides leadership in identification of priorities and assures that all activities reflect those board-  
19 established priorities.
  - 20 2. Prepares and recommends short- and long-range plans for board approval and implements those  
21 plans when approved.
  - 22 3. Prepares, in conjunction with the board chair, agenda recommendations relative to all matters  
23 requiring board action, including all facts, information, options and reports needed to assure  
24 informed decisions. Provides advice and counsel to the Board on matters before it.
  - 25 4. Attends all regular and special meetings of the Board and keeps a complete and accurate record  
26 of the proceedings of all meetings of the Board and of its official acts.
-

- 1 5. Recommends drafts of new policies or changes to the Board. Anticipates potential problems.  
2 Recommends policies or courses of staff action.
- 3 6. Develops administrative procedures to implement board policy and disseminates these  
4 procedures to appropriate staff.
- 5 7. Keeps the Board informed regarding development in other districts or at state and national levels  
6 that would be helpful to the district.
- 7 8. Ensures that all local, state/federal standards for the health and safety of the students and staff  
8 are maintained and that required reports are maintained.
- 9 9. Fulfills all statutory obligations and implements the education law of the State of Tennessee and  
10 the rules and regulations of the State Board.<sup>1</sup>

### 11 **Financial Management**

- 12 1. Provides direction to and supervisions of school business functions. Encourages development  
13 and implementation of sound business practices. Continually assesses business practices to  
14 achieve efficiency.
- 15 2. Prepares annually, a budget and submits it to the Board for approval. Presents approved budget  
16 to the appropriate local funding body for adoption.
- 17 3. Makes appropriate written reports for the Board detailing all receipts and expenditures of the  
18 public school funds and submit them to the local funding body.
- 19 4. Ensures that funds are spent prudently by providing adequate control and accounting of the  
20 district's financial and physical resources.

### 21 **Personnel Administration**

- 22 1. Establishes lines of authority which shall be approved by the board and shown on the system  
23 organization chart. Lines of authority shall not restrict the practical working relationships of all  
24 staff members at all levels.
- 25 2. Employs such personnel as may be necessary within the limits of budgetary provisions and  
26 recommend to the Board teachers who are eligible for tenure.
- 27 3. Develops recruitment procedures to assure well-qualified applicants for professional and  
28 nonprofessional positions.
- 29 4. Assigns and transfers employees as the interest of the district may dictate and reports such action  
30 to the Board for information and record.
- 31 5. Holds meetings of teachers and other employees as necessary for the discussion of matters  
32 concerning the welfare and improvement of the schools.

- 1 6. Communicates directly or through delegation all actions of the Board relating to personnel  
2 matters to all and receives from employees communications to be made to the Board.
- 3 7. Maintains an open line of communication with all stakeholders.
- 4 8. Evaluates principals annually.
- 5 9. Informs the Office of Educator Licensing of licensed educators or educators who have a  
6 temporary teaching permit who have been suspended, dismissed, or who have resigned following  
7 allegations of conduct, including sexual misconduct, which, if substantiated, would warrant  
8 consideration for license suspension, revocation, or formal reprimand or who have been  
9 convicted of a felony. **This report shall also be made if the licensed educator has pleaded guilty  
10 or nolo contendere to, or has been convicted or otherwise found guilty of such an offense or  
11 equivalent offense in another jurisdiction.** The report shall be submitted within thirty (30) days.  
12 ~~of the suspension, dismissal, or resignation or of receiving knowledge of the felony conviction.~~<sup>2</sup>

### 13 **Instructional Leadership**

- 14 1. Administers as chief school executive, the development and maintenance of a positive  
15 educational program designed to meet the needs of the community and to carry out the policies  
16 of the Board. Ensures that a system of thorough and efficient education, as defined by state law,  
17 is available to all students.
- 18 2. Recommends to the board for its adoption all courses of study, curriculum guides, and major  
19 changes in tests and time schedules to be used in the schools.
- 20 3. Oversees the timely revisions of all curriculum guides and courses of study.
- 21 4. Develops guidelines and direction for monitoring the effectiveness of existing and new programs.
- 22 5. Conducts a periodic audit of the total school program and advises the Board of recommendations  
23 for the educational advancement of the schools.
- 24 6. Seeks out available sources for grant funding to support programs and projects.
- 25 7. Ensures that the goals of the school system are adequately reflected in its educational program  
26 and operations.

### 27 **Community/Public Relations**

- 28 1. Promotes community support of the schools. Interprets district programs and services, reports  
29 plans, events and activities of interest and solicits community opinions regarding school and  
30 educational issues.
- 31 2. Identifies available community resources and links to social service agencies that support  
32 education and healthy child development.

- 1        3. Develops strategies to promote parental involvement in their children’s education and provides  
2            opportunities for parent-teacher interaction.
- 3        4. Maintains contact and good relations with local media. Acts as the Board’s spokesperson.
- 4        5. Ensures that the district interests will be represented in meetings and activities of municipal and  
5            other governmental agencies.
- 6        6. Represents the school system and its interests in community organizations, activities and  
7            projects.
- 8        **TERMS OF EMPLOYMENT:** Twelve (12) months a year. Serves in accordance with the terms of the  
9            contract between the board and the director of schools. Salary to be determined by the Board.
- 10       **EVALUATION:** Performance of this job will be evaluated in accordance with provisions of state law  
11            and the board’s policy on evaluation of the director of schools.
- 12       **GENERAL REQUIREMENTS:** The above statements are intended to describe the general nature and  
13            level of work being performed by the person assigned to this position. They are not intended to be a  
14            complete list of responsibilities, duties and skills required of a personnel so assigned.

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Legal Reference:

1. TCA 49-2-301
2. TRR/MS 0520-02-03-.09(2); TCA 49-5-417(c);  
TCA 49-5-106(f); Public Acts of 2024, Chapter No.  
577

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Cross References:

Executive Committee 1.301  
School District Planning 1.701  
Application and Employment 5.106  
Evaluation of the Director of Schools  
5.803

# Marshall 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>08/12/24</b>
		Rescinds: <b>6.203</b>	Issued: <b>07/21/05</b>

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

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

7 The name used on the records of a student entering school must be the same as that shown on the birth  
8 certificate unless evidence is presented that such name has been legally changed through a court as  
9 prescribed by law. If the parent does not have or cannot obtain a birth certificate, then the name used on  
10 the records of such student will be the same as that shown on documents which are acceptable to the  
11 school principal as proof of date of birth.<sup>4</sup>

12 A child whose care, custody and support has been assigned to a resident of the district by a power of  
13 attorney or order of the court shall be enrolled in school provided appropriate documentation has been  
14 filed with the central office<sup>5</sup> and approved by the director of schools.

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

## 17 **ADJUDICATED DELINQUENT STUDENT**

18 **A principal or principal's designee may ask a parent/guardian in writing if their student has been**  
19 **adjudicated delinquent for an offense listed in TCA 49-6-3051 within thirty (30) days of the student first**  
20 **enrolling in the school and when any such student:**

- 21 1. **Resumes school attendance after suspension, expulsion, or adjudication of delinquency; or**
- 22 2. **Changes schools within this state.**

23 ~~Parents, guardians, or legal custodians of students who enter school who have been judged delinquent~~  
24 ~~for an offense involving murder, rape, robbery, kidnapping, aggravated assault or reckless endangerment~~  
25 ~~shall notify the principal by providing the abstract of record required by law or other similar written~~  
26 ~~information.~~ This information shall be shared only with school employees who have responsibility for  
27 classroom instruction/monitoring of the student, **the school counselor, social worker, or psychologist**  
28 **who is developing a plan for the student while in the school, and the school resource officer.** Such  
29 information is otherwise confidential and shall not be released to others except as required by law. The  
30 written notification shall not become a part of the student's permanent school record.<sup>7</sup>

## Legal References

1. TCA 49-6-3008(b)
2. ~~TRR/MS 0520-01-13-08(2)(a); TCA 49-6-5004(a)~~  
TRR/MS0520-01-13-.01(1)(a); 20 USCA§1232h(c)
3. TCA 49-6-5001(c)
4. TCA 49-6-5106
5. TCA 49-6-3001(c)(6); ~~TCA 37-1-131(a)(2)~~
6. TCA 37-1-153( e), 154; TCA 49-6-3051; Public Acts of 2024, Chapter No. 721
7. TCA 49-6-3051(d)

## Cross References

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

# Marshall County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term:  <h2 style="text-align: center;">Dress Code</h2>	Descriptor Code: <b>6.310</b>	Issued Date: <b>08/14/23</b>
		Rescinds: <b>6.310</b>	Issued: <b>10/08/12</b>

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 General Requirements

9 Depending on the grade configuration in each school and age of the student, school administrators are  
 10 responsible for enforcing the following standard school attire in a fair manner while applying common  
 11 sense. Violations will be handled in accordance with this policy.

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

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

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

27

## 28 **STUDENTS DRESSED INAPPROPRIATELY WILL BE SUBJECT TO DISCIPLINARY** 29 **CONSEQUENCES AS OUTLINED BELOW:**

30 1<sup>st</sup> Offense: Warning, call parent for replacement clothing or correction by principal, i.e. rope, belt,  
 31 string for trousers

- 1 2<sup>nd</sup> Offense: Two hours of detention, Parental Conference, replacement clothing or correction by  
 2 principal, i.e. rope, belt, string for trousers.
- 3 3<sup>rd</sup> Offense: Defiance of Authority (refer to policy 6.313)
- 4 ***Alternative School***
- 5 In addition to the above guidelines, students attending the Alternative School will be required to comply  
 6 with the following:
- 7 **PANTS** Pants are to be navy, black or khaki. Pants are to be worn at the waist. No  
 8 undergarments are to be showing.
- 9 **BELTS** Belts must be worn at all times and meet the guidelines above. In general, belts  
 10 should be as plain as possible.
- 11 **SHIRTS** Shirts must be white polo or button down with no logos. All buttons, except for  
 12 the top button, are to be buttoned at all times. Sleeves, if long, are not to be rolled  
 13 up, but should be buttoned at the wrist. Undershirts are to be white only. Shirts  
 14 should be tucked in at all times (belt should be visible).
- 15 **SHOES** Tennis shoes are the only acceptable type/design to be worn. Shoes must be black,  
 16 gray or white and shoestrings must match the color of the shoe. Shoestrings are to  
 17 be tied tightly and all Velcro must be strapped. This is a safety precaution and will  
 18 be enforced.
- 19 **JEWELRY** No jewelry, watches or sunglasses are to be worn or brought to school.
- 20 **FINGERNAILS** Fingernails must be clean and short. Artificial nails CANNOT be worn. Only clear  
 21 polish is acceptable.
- 22 **PHYSICAL ED.** Gray short or gray sweatpants (must be worn at waist) and a white t-shirt. Shirt  
 23 **ATTIRE** must be tucked in at all times
- 24 **OUTERWEAR** Jackets, coats, gloves and toboggans are allowed in cooler weather but are NOT  
 25 to be worn in the halls or classrooms. These items will be checked in and hung in  
 26 the designated area when a student enters the building. Likewise, they will be  
 27 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: <b>Review: Annually, in April</b>	Descriptor Term: <b>Suspension/Expulsion/Remand</b>	Descriptor Code: <b>6.316</b>	Issued Date: <b>08/12/24</b>
		Rescinds: <b>6.316</b>	Issued: <b>11/09/20</b>

1 **DEFINITIONS:<sup>1</sup>**

2 **Suspension:** dismissed from attendance at school for any reason not more than ten (10) consecutive  
3 days. Multiple suspensions shall not run consecutively nor shall multiple suspensions be  
4 applied to avoid expulsion from school.

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

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

9 **REASONS FOR SUSPENSION/EXPULSION:**

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

- 14 1. Willful and persistent violation of the rules of the school;
  - 15 2. Immoral or disreputable conduct, including vulgar or profane language;
  - 16 3. Violence or threatened violence against the person of any personnel attending or assigned to any  
17 school;
  - 18 4. Willful or malicious damage to real or personal property of the school, or the property of any person  
19 attending or assigned to the school;
  - 20 5. Inciting, advising or counseling of others to engage in any of the acts herein enumerated;
  - 21 6. Marking, defacing, or destroying school property;
  - 22 7. Possession of a pistol, gun or firearm on school property;<sup>3</sup>
  - 23 8. Possession of a knife, etc., as defined in TCA 39-17-1309, on school property;<sup>4</sup>
  - 24 9. Assaulting a principal, teacher, school bus driver or other school personnel with vulgar, obscene or  
25 threatening language;
-

- 1 10. Unlawful use or possession of barbitol or legend drugs, as defined in TCA 53-10-101;<sup>5</sup>
- 2 11. Engaging in behavior which disrupts a class or school-sponsored activity;
- 3 12. Making a threat, including a false report, to use a bomb, dynamite, any other deadly explosive or
- 4 destructive device including chemical weapons on school property or at a school sponsored event,
- 5 **or an invalid threat of mass violence;**<sup>6</sup>
- 6 13. One (1) or more students initiating a physical attack on an individual student on school property or
- 7 at a school activity, including travel to and from school;
- 8 14. **Assault against a school employee as defined in state law.**<sup>7</sup>
- 9 15. Off-campus criminal behavior resulting in felony charges; when behavior poses a danger to persons
- 10 or property or disrupts the educational process; or
- 11 16. Any other conduct prejudicial to good order or discipline in any school.

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

14 If, as a result of an investigation, a principal or his/her designee finds that a student acted in self-defense  
15 under a reasonable belief that the student, or another to whom the student was coming to the defense,  
16 may have been facing the threat of imminent danger of death or serious bodily injury, then the student  
17 may not face any disciplinary action.<sup>6</sup>

#### 18 **IN-SCHOOL SUSPENSION:**<sup>8</sup>

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

#### 26 **PROCEDURES FOR OUT-OF-SCHOOL SUSPENSION AND EXPULSION:**<sup>12</sup>

- 27 1. Unless the student's continued presence in the school, class or school-related activity presents an  
28 immediate danger to the student or other persons or property, no principal shall suspend/expel any  
29 student until that student has been advised of the nature of his/her misconduct, questioned about it,  
30 and allowed to give an explanation.
- 31 2. Upon suspension/expulsion of any student (in-school suspension in excess of one (1) day), the  
32 principal shall make an immediate attempt to contact the parent or guardian to inform them of the  
33 suspension/expulsion. The student shall not be sent home before the end of the school day unless the  
34 parent or guardian has been contacted.

- 1 3. The principal shall notify the parent or guardian and the director of schools or designee in writing:
- 2 a. Of the suspension/expulsion and the cause for it; and
- 3 b. A request for a meeting with the parent or guardian, student and principal, to be held as soon as
- 4 possible, but no later than five (5) days following the suspension/expulsion.
- 5 4. Immediately following the scheduled meeting, whether or not attended by the parent or guardian or
- 6 student, the principal shall determine the length of the suspension/expulsion and set conditions for
- 7 readmission. If the principal determines the length of the suspension to be between six (6) and the
- 8 maximum of ten (10) days, the principal shall develop and implement a plan for correcting the
- 9 behavior when the student returns to school.
- 10 5. If at the time of the suspension the principal determines that an offense has been committed which,
- 11 in the judgment of the principal would justify a suspension/expulsion for more than ten (10) days,
- 12 he/she may suspend/expel/remand the student unconditionally for a specified period of time or upon
- 13 such terms and conditions as are deemed reasonable.
- 14 6. The principal shall immediately give written or actual notice to the parent or guardian and the student
- 15 of the right to appeal the decision to suspend/expel/remand for more than ten (10) days. All appeals
- 16 must be filed, orally or in writing, within five (5) days after receipt of the notice and may be filed by
- 17 the parent or guardian, the student or any person holding a teaching license who is employed by the
- 18 school system if requested by the student.
- 19 7. The appeal from this decision shall be to the Board or to a disciplinary hearing authority appointed
- 20 by the Board.
- 21 8. If the suspension/expulsion occurs during the last ten (10) days of any term or semester, the student
- 22 shall be permitted to take such final examinations or submit such required work as necessary to
- 23 complete the course of instruction for that semester, subject to conditions prescribed by the principal.
- 24 9. Students who have been suspended Out of School, placed in In-School Suspension, or placed in
- 25 Alternative School may not participate in any school related extracurricular activities until the end
- 26 of the regular school day on the last day of the suspension.

27 **SUSPENSIONS LONGER THAN TEN DAYS<sup>10</sup>**

28 **If the principal suspends a student for longer than ten (10) days, he/she shall immediately give written**

29 **notice to the parent(s)/guardian(s) and the student of the right to appeal the decision. All appeals shall**

30 **be filed within five (5) days of receipt of the notice. These appeals may be filed by the**

31 **parent(s)/guardian(s), the student, or any person holding a teaching license who is employed by the**

32 **school district if requested by the student.**

33 **The appeal from this decision shall be to the Disciplinary Hearing Authority appointed by the Board.**

34 **If a Disciplinary Hearing Authority has not been appointed, then the appeal shall be to the Board.**

35

36

## 1 SCHOOL-SPONSORED EVENTS<sup>7</sup>

- 2 If a student assaults an employee, he/she shall be suspended from school-sponsored events for one (1)  
3 calendar year unless modified by the Director of Schools. A school-sponsored event is an activity that  
4 is not directly related to a student's grade in a course of instruction.

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### Legal References:

1. TCA 49-6-3007(ii)
2. TCA 49-2-203(a)(7); TCA 49-6-3401(a)
3. ~~TCA 39-17-1309(b)~~
4. ~~TCA 39-17-1309~~
5. ~~TCA 53-10-101; TCA 39-17-454~~
6. ~~Public Acts of 2024, Chapter No. 882~~
7. ~~Public Acts of 2024, Chapter No. 915; TCA 39-13-101~~
8. TCA 49-6-3401(i)
9. TCA 49-6-3401(d)
10. TCA 49-6-3401(b)
11. ~~TCA 49-6-3401 (c)(3)~~
12. TCA 49-6-3401(4)-(6) (a)-(c); *Goss v. Lopez*, 419 U.S. 565 (1975); 20 USCA § 1415; Individuals with Disabilities Act Amendments of 1997 § 615  
~~TCA 49-6-4216; TCA 39-17-1309; TCA 39-17-417~~

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### Cross References:

~~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 Code 6.310~~  
~~Discipline Procedures 6.313~~  
~~Disciplinary Hearing Authority 6.317~~

# Marshall County Board of Education

Monitoring: <b>Review: Annually, in March</b>	Descriptor Term: <b>Discipline Procedures</b>	Descriptor Code: <b>6.313</b>	Issued Date: <b>08/12/24</b>
		Rescinds: <b>6.313</b>	Issued: <b>07/10/23</b>

1 The board delegates to the director of schools the responsibility of developing specific codes of conduct  
2 which are appropriate for each level of school.<sup>1</sup> Codes of conduct for students in pre-kindergarten or  
3 kindergarten shall utilize alternative disciplinary practices such as verbal reprimand, restricting  
4 activities, counseling, and withdrawal of privileges. In these grades, exclusionary discipline shall only  
5 be used as a measure of last resort.<sup>2</sup> The development of each code shall involve principals and faculty  
6 members of each level, ~~and~~ shall be consistent with the relevant policies as adopted by the board **and**  
7 **shall be based on evidence-based behaviors supports and interventions.**<sup>3</sup>

8 The following levels of misbehavior and disciplinary procedures and options are designed to protect all  
9 members of the educational community in the exercise of their rights and duties and to maintain a safe  
10 learning environment where orderly learning is possible and encouraged.<sup>4</sup> These misbehaviors apply to  
11 student conduct on school buses, on school property, and while students are on school sponsored outings.  
12 Staff members **have the authority to enforce the code of conduct** <sup>3</sup> **and** shall ensure that disciplinary  
13 measures are implemented in a manner that:<sup>5</sup>

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

21 In order to ensure that these goals are accomplished, the school district shall utilize the following trauma-  
22 informed discipline practices: multi-tiered system of supports and behavior intervention plans. **Principals**  
23 **shall use appropriate discipline management techniques when enforcing the code of conduct.**

## 24 **MISBEHAVIORS: Level I**

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

27 *Examples* (not an exclusive listing):

- 28 • Classroom disturbances
- 29 • Classroom tardiness
- 30 • Cheating and lying
- 31 • Abusive language
- 32 • Non-defiant failure to do assignments or carry out directions
- 33

- 1 • Wearing while on the grounds of a public school during the regular school day, clothing that
- 2 exposes underwear or body parts in an indecent manner that disrupts the learning environment<sup>6</sup>
- 3 • Victimization of any student (Harassment [Sexual, Racial, Ethnic, Religious], Bullying, Cyber-
- 4 bullying, and/or Hazing)

5 *Disciplinary Procedures:*

- 6
- 7 • Immediate intervention by the staff member.
- 8 • Determine what offense was committed and its severity.
- 9 • Determine offender and that he/she understands the nature of the offense.
- 10 • Employ appropriate disciplinary options.
- 11 • Record of the offense and disciplinary action maintained by staff member.

12

13 *Disciplinary Options:*

- 14
- 15 • Verbal reprimand
- 16 • Special assignment
- 17 • Restricting activities
- 18 • Withdrawal of privileges
- 19 • Issuance of demerits
- 20 • Strict supervised study
- 21 • Detention
- 22 • Corporal punishment
- 23 • In-school suspension
- 24 • Out-of-school suspension
- 25 • In-school counseling
- 26 • Out-of-school counseling
- 27 • Implement Behavioral Intervention Plans

28

29 **MISBEHAVIORS: Level II**

30 Misbehavior whose *frequency* or *seriousness* tends to disrupt the learning climate of the school. Included

31 in this level are misbehaviors which do not represent a direct threat to the health and safety of others but

32 whose educational consequences are serious enough to require corrective action on the part of

33 administrative personnel.

34

35 *Examples* (not an exclusive listing):

- 36
- 37 • Continuation of unmodified Level I behaviors
- 38 • School or class tardiness
- 39 • School or class truancy
- 40 • Use of tobacco
- 41 • Using forged notes or excuses
- 42 • Disruptive classroom behavior
- 43 • Victimization of any student (Harassment [Sexual, Racial, Ethnic, Religious], Bullying, Cyber-
- 44 bullying, and/or Hazing)

1 *Disciplinary Procedures:*

2

- 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 explaining his/her
- 6 conduct, denying it or explaining any mitigating circumstances.
- 7 • Principal takes appropriate disciplinary action and notifies teacher of action.
- 8 • Record of offense and disciplinary action maintained by principal.

9

10 *Disciplinary Options:*

11

- 12 • Teacher/schedule change
- 13 • Modified probation
- 14 • Behavior modification
- 15 • Social probation
- 16 • Peer counseling
- 17 • Referral to outside agency
- 18 • In-school suspension
- 19 • Transfer
- 20 • Detention
- 21 • Suspension from school-sponsored activities or from riding school bus
- 22 • Corporal punishment
- 23 • Restricting school related honors student is otherwise due
- 24 • Out-of-school suspension not to exceed ten (10) days
- 25 • In-school counseling
- 26 • Out-of-school counseling
- 27 • Implement Behavioral Intervention Plans

28

29 **MISBEHAVIORS: Level III**

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

32

33 *Examples (not an exclusive listing):*

34

- 35 • Continuation of unmodified Level I and II behaviors
- 36 • Fighting (simple)
- 37 • Vandalism (minor)
- 38 • Use, possession, sale, distribution, and/or being under the influence of tobacco, drugs, drug
- 39 paraphernalia, and/or alcohol
- 40 • Stealing
- 41 • Threats to others
- 42 • Victimization of any student (Harassment [Sexual, Racial, Ethnic, Religious], Bullying, Cyber-
- 43 bullying, and/or Hazing)

44

45

1 *Disciplinary Procedures:*

- 2
- 3 • Student is referred to principal for appropriate disciplinary action.
  - 4 • Principal meets with student and teacher.
  - 5 • Principal hears accusation by accusing party and permits offender the opportunity of explaining
  - 6 conduct.
  - 7 • Principal takes appropriate disciplinary action.
  - 8 • Principal may refer incident to director of schools and make recommendations for consequences.
  - 9 • If student's program is to be changed, adequate notice shall be given to the student and his/her
  - 10 parent(s)/guardian(s) of the charges against him, his/her right to appear at a hearing and to be
  - 11 represented by a person of his/her choosing.
  - 12 • Any change in school assignment is appealable to the Board.
  - 13 • Record of offense and disciplinary action maintained by principal or director of schools

14

15 *Disciplinary Options:*

- 16
- 17 • In-school suspension
  - 18 • Detention
  - 19 • Corporal punishment
  - 20 • Restitution from loss, damage or stolen property
  - 21 • Out-of-school suspension not to exceed ten (10) days
  - 22 • Social adjustment classes
  - 23 • Transfer
  - 24 • Long term out-of-school suspension
  - 25 • Alternative School
  - 26 • In-school counseling
  - 27 • Out-of-school counseling
  - 28 • Implement Behavioral Intervention Plans

29

30 **MISBEHAVIORS: Level IV**

31 Acts which result in violence to another's person or property or which *pose a threat* to the safety of

32 others in the school. These acts are so serious that they usually require administrative actions which

33 result in the immediate removal of the student from the school, the intervention of law enforcement

34 authorities or action by the Board.

35

36 If a student's action poses a threat to the safety of others in the school, a teacher, principal, school

37 employee, or school bus driver may use reasonable force when necessary to prevent bodily harm or death

38 to another person.<sup>7</sup>

39

40 *Examples* (not an exclusive listing):<sup>8</sup>

- 41
- 42 • Unmodified Level I, II and III behaviors
  - 43 • Death threat (hit list)
  - 44 • Threat of mass violence on school property or at a school-related activity\*
  - 45 • Extortion

- 1 • Bomb threat\*
- 2 • Possession/use/transfer of dangerous weapons
- 3 • Assault that results in bodily injury upon any teacher, principal, administrator, any other
- 4 employee of the school, or a school resource officer\*
- 5 • Aggravated assault\*
- 6 • Vandalism
- 7 • Theft/possession/sale of stolen property
- 8 • Arson
- 9 • Possession of unauthorized substances (i.e. any controlled substance, controlled substance
- 10 analogue, or legend drug)\*
- 11 • Use/transfer of unauthorized substances
- 12 • Victimization of any student (Harassment [Sexual, Racial, Ethnic, Religious], Bullying, Cyber-
- 13 bullying, and/or Hazing)
- 14 • **Electronic threat to cause bodily injury or death to another student or school employee**

15  
16 *Disciplinary Procedures:*

- 17
- 18 • **Law enforcement officials and the Director of Schools are immediately contacted, if applicable.<sup>9</sup>**
- 19 • Principal confers with appropriate staff members and with the student.
- 20 • Principal hears accusation by accusing party and permits offender opportunity of explaining
- 21 conduct.
- 22 • Parent(s)/Guardian(s) are notified as soon as possible.
- 23 • Law enforcement officials are contacted.
- 24 • Incident is reported and recommendations made to the director of schools.
- 25 • **The principal notifies the staff members of the resolution.**
- 26 • Complete and accurate reports are submitted to the director of schools.
- 27 • Student is given hearing before disciplinary hearing authority.

28  
29 *Disciplinary Options:*

- 30
- 31 • Out-of-school suspension
- 32 • Alternative schools
- 33 • Other hearing authority or Board action which results in appropriate placement

34  
35 \* Designates zero tolerance offenses.

36  
37 **ADDITIONAL GUIDELINES:**

- 38
- 39 1. A student shall not be suspended solely because charges are pending against him/her in juvenile
- 40 or other court.
- 41 2. A principal shall not impose successive short term suspensions that cumulatively exceed ten (10)
- 42 days for the same offense.<sup>2</sup>
- 43 3. A teacher or other school official shall not reduce or authorize the reduction of a student's grade
- 44 because of discipline problems except in deportment or citizenship.

- 1 4. A student shall not be denied the passing of a course or grade promotion solely on the basis of
- 2 absences except as provided by board policy.
- 3 5. A student shall not be denied the passing of a course or grade promotion solely on the basis of
- 4 failure to:
- 5 a) pay any activity fee;
- 6 b) pay a library or other school fine; or
- 7 c) make restitution for lost or damaged school property.
- 8

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Legal Reference:

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 49-6-2802
8. TCA 39-16-517; TCA 49-6-3401(g); ~~Public Acts of 2023, Chapter No. 299~~ **Public Acts of 2024, Chapter No. 882;**  
**Public Acts of 2024, Chapter No. 915;**
9. **Public Acts of 2024, Chapter No. 882.**

Cross References:

**Security 3.205**  
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/Expulsion/Remand 6.316  
Safe Relocation of Students 6.4081

# Marshall County Board of Education

Monitoring: <b>Review: Annually, in March</b>	Descriptor Term: <b style="text-align: center;">Zero Tolerance Offenses</b>	Descriptor Code: <b style="text-align: center;">6.309</b>	Issued Date: <b style="text-align: center;">08/12/24</b>
		Rescinds: <b style="text-align: center;">6.309</b>	Issued: <b style="text-align: center;">07/10/23</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
- 5 2. Unlawful possession of any drug, including any controlled substance, controlled substance  
6 analogue, or legend drug on school grounds or at a school-sponsored event;<sup>3</sup>
- 7
- 8 3. Aggravated assault;<sup>4</sup>
- 9
- 10 4. Assault that results in bodily injury<sup>5</sup> upon any teacher, principal, administrator, any other  
11 employee of the school, or school resource officer; or
- 12
- 13 5. **Valid threats of mass violence on school property or at a school-related activity as determined**  
14 **by a treat assessment team.**<sup>6</sup>

15 Committing any of these offenses shall result in a student being expelled from the regular school  
16 program for at least one (1) calendar year unless modified by the Director of Schools. Modification of  
17 the length of time shall be granted on a case-by-case basis. Students that commit zero tolerance  
18 offenses may be assigned to an alternative school or program at the discretion of the Director of  
19 Schools.<sup>7</sup>

20 When it is determined that a student has violated this policy, the principal shall notify the student's  
21 parent(s)/guardian(s) and the criminal justice or juvenile delinquency system as required by law.<sup>8</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 39-16-517; ~~Public Acts of 2023, Chapter No. 299~~  
**TCA 49-6-3401(g)(2)(D); Public Acts of 2024, Chapter**  
**No. 882**
7. TCA 49-6-3401(g)(2); TCA 49-6-3402
8. TCA 49-6-4209; TCA 39-17-1312; 20 USCA § 7961(h)(1);  
**Public Acts of 2024, Chapter No. 882**

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Cross References

- Threat Assessment Team 3.204**
- Code of Conduct 6.300
- Drug-Free Schools 6.307
- Suspension 6.316
- Student Disciplinary Hearing Authority 6.317
- Alternative Education 6.319
- Safe Relocation of Students 6.4081

# Marshall 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>08/12/24</b>
		Rescinds:	Issued: <b>04/09/18</b>

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> **The opioid antagonist**  
4 **shall be stored in accordance with the manufacturer's instructions.**<sup>2</sup> School nurses and other school  
5 personnel expected to provide emergency care to students shall be trained according to the Tennessee  
6 Department of Health guidelines. The school nurse or other trained school personnel may utilize the  
7 school's supply of opioid antagonists to respond to a drug overdose, under a standing protocol from a  
8 physician.

9 **School district staff shall not prohibit a student, employee, or visitor from possessing an opioid**  
10 **antagonist while the person is on school property or attending a school-sponsored activity held at a**  
11 **location that is not school property.**<sup>2</sup>

12 **PARENTAL NOTIFICATION**

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

15 **PROCEDURES**

16 The director of schools shall develop procedures for the maintenance and usage of opioid antagonists as  
17 well as procedures regarding record keeping and reporting after any incident.

18

19

20

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Legal References:

1. State Board of Education Policy 4.205; **TCA 49-50-1604**
2. **Public Acts of 2024, Chapter No. 629**

# Marshall County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Reporting Child Abuse</b>	Descriptor Code: <b>6.409</b>	Issued Date: <b>08/12/24</b>
		Rescinds: <b>6.409</b>	Issued: <b>08/08/22</b>

## 1 *General*

2 The director of schools shall:<sup>1</sup>

- 3 1. Designate one employee as the Child Abuse Coordinator (the Coordinator) and an additional  
4 employee to serve as the Alternate Child Abuse Coordinator (the Alternate) for each school **and**  
5 **submit this information to the Department of Children's Services;**
- 6 2. Require that the Coordinator and the Alternate receive appropriate training;
- 7 3. Supply the Coordinator with all necessary resources;
- 8 4. Ensure that all school personnel working directly with students annually complete the child abuse  
9 training program required by state law.<sup>2</sup>

10 The Coordinator shall assist any employee with appropriately reporting and responding to instances of  
11 child abuse or child sexual abuse.

## 12 **REPORTING**

13 All personnel shall be alert for any evidence of child abuse, sexual abuse, or neglect.<sup>3</sup> If personnel know  
14 or have reasonable cause to suspect child abuse, sexual abuse, or neglect, a report shall be filed  
15 immediately with the Coordinator, the Department of Children's Services (DCS), and law enforcement.<sup>4</sup>  
16 When alleged abuse involves someone employed by, previously employed by, or otherwise affiliated  
17 with the school, the report may be made directly to the DCS and law enforcement prior to notifying the  
18 Coordinator.<sup>4,5</sup>

19 The report shall include, to the extent known by the reporter:<sup>6</sup>

- 20 1. The name, address, telephone number, and age of the child;
- 21 2. The name, address, and telephone number of the parents or persons having custody of the child;
- 22 3. The nature and extent of the abuse or neglect; and
- 23 4. Any evidence to the cause or any other information that may relate to the cause or extent of the  
24 abuse or neglect.

25 The Director of Schools/designee shall develop reporting procedures, including sample indicators of  
26 abuse and neglect, and shall disseminate the procedures to all school personnel.

## 27 **CONFIDENTIALITY**

28 District employees shall keep all information regarding any child abuse confidential in accordance with  
29 state law.

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## 1 INVESTIGATIONS

2 School administrators and employees have a duty to cooperate, provide assistance and information in  
 3 child abuse investigations<sup>7</sup> including permitting DCS teams to conduct interviews while the child is at  
 4 school. The principal may control the time, place and circumstances of the interview but may not insist  
 5 that a school employee be present even if the suspected abuser is a school employee or another student.  
 6 The principal is not in violation of any laws by failing to inform parent(s)/guardian(s) that the child is to  
 7 be interviewed even if the suspected abuser is not a member of the child's household.<sup>8</sup>

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### Legal References:

1. TCA 49-6-1601; **Public Acts of 2024, Chapter No. 571**
2. TCA 37-1-408; ~~Public Acts of 2022, Chapter No. 844~~
3. TCA 37-1-403(a)(1); TCA 37-1-412; TCA 37-1-602; TCA 37-1-605(a)(4)
4. TCA 37-1-403(a)(2); TCA 49-6-1601
5. ~~Public Acts of 2022, Chapter No. 781~~ **TCA 49-6-1601(d)(1)(B)(v)**
6. TCA 37-1-403(b)
7. TCA 37-1-611(b)
8. Tenn. Op. Atty. Gen. No. 87-101 (June 9, 1987)

### Cross References

Recommendations and File Transfers 5.203  
 Staff-Student Relations 5.610  
 Interrogations and Searches 6.303  
 Student Discrimination, Harassment, Bullying, Cyber-bullying, and Intimidation 6.304  
 Title IX & Sexual Harassment 6.3041  
 Promoting Student Welfare 6.400