

Policy Committee Meeting

July 14, 2025 immediately following the board meeting
MCBOE

1. 4.603 Promotion and Retention

2. 5.118 Background Investigations

3. 1.700 School District Goals and Objectives

4. 5.100 Personnel Goals

5. 1.1021 Student Board Member - New Policy

6. 1.407 School District Records

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11. 5.500 Discrimination/Harassment of Employees

12. 6.304 Student Discrimination, Harassment, Bullying, Cyber-bullying,
and Intimidation

13. 4.102 Virtual/Remote Education Programs

14. 4.301 Interscholastic Athletics

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17. 4.601 Reporting Student Progress

18. 5.110 Compensation Guides

19. 5.119 Employment of Retirees

20. 5.305 Family and Medical Leave

21. 5.701 Substitute Teachers

22. 6.200 Attendance

23. 6.303 Interrogations and Searches

24. 6.312 Use of Personal Communication Devices by Students

25. 6.411 Student Wellness

26. 6.600 Student Records

Marshall County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Promotion and Retention	Descriptor Code: 4.603	Issued Date: 07/14/25
		Rescinds: 4.603	Issued: 08/12/24

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 applicable¹

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

- 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;³
- 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 1st deadline if the delay in identifying a student
17 is due to⁴:

- 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
-

2. The parent/guardian believes that retention may benefit the student.⁵

This information shall be submitted in writing within thirty (30) days of the end of the school year. The district shall send written notice to the parent/guardian confirming whether the student is eligible for retention under state law.

PROMOTION PLANS⁶

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.⁷

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.⁸

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

RETENTION⁷

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 – General⁹

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

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

12 *Decision of Retention – Third Grade*¹⁰

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

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

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

- 1 d. The student attends a learning loss bridge camp before the next school year, maintains a
2 ninety percent (90%) attendance rate, and receives tutoring for the entirety of the next
3 school year in accordance with state law.

4 *Decision of Retention – Fourth Grade¹⁰*

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

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

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

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

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

24 *Decision of Retention – Students with Disabilities¹¹*

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

29 **APPEALS^{8,12}**

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

- 1 The appeal shall be heard no later than ten (10) business days after the request for appeal is received. A
 2 decision shall be issued within 5 days.
- 3 Within five (5) business days of the Director of Schools/designee rendering a decision, the student's
 4 parent(s)/guardian(s) may request a hearing by the Board, and the Board shall review the record.
 5 Following the review, the Board may affirm or overturn the decision of the Director of Schools/designee.
 6 The action of the Board shall be final.
- 7 For students where retention is required per the additional requirements for students in third and fourth
 8 grade, parent(s)/guardian(s) may appeal this decision directly to the Department of Education in
 9 accordance with state law.¹³

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. **TCA 49-6-314; TRR/MS 0520-01-03-.16(6)**
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: Review: Annually, in September	Descriptor Term: Background Investigations	Descriptor Code: 5.118	Issued Date: 07/14/25
		Rescinds: 5.118	Issued: 07/09/18

1 To ensure the safety and welfare of students and staff, the district shall require criminal history
2 background checks and fingerprinting for applicants, employees, contract workers, and volunteers.¹

3 **APPLICANTS AND EMPLOYEES**

4 To ensure the safety and welfare of students and staff, the district shall require criminal history
5 background checks and fingerprinting of applicants for teaching positions and any other positions that
6 require proximity to children. Further, applicants who (1) have been identified by the Department of
7 Children's Services as perpetrators of child abuse, severe child abuse, child sexual abuse, or child
8 neglect, or who pose an immediate threat to the health, safety, or welfare of children; or (2) who are
9 listed on the state's abuse of vulnerable persons registry maintained by the Department of Health shall
10 not be employed.³

11 **The Director of Schools/designee shall develop any necessary corresponding procedures.**

12 **Applicants and current employees shall be entered into the federal RAP back program.⁴ Notice of the**
13 **following shall be provided:**

- 14 **1. Possible fees charged by the Tennessee Bureau of Investigation; and**
- 15
- 16 **2. Fingerprints will be retained by the Tennessee Bureau of Investigation and the Federal**
17 **Bureau of Investigation for all purposes and uses authorized for fingerprint submission.**

18 ~~Background checks shall be required of these employees at least once every five (5) years after the date~~
19 ~~of hire.¹~~

20 **CONTRACTORS & VOLUNTEERS**

21 ~~To ensure the safety and welfare of students and staff, the district shall require criminal history~~
22 ~~background checks and fingerprinting of contractors, and volunteers and any other positions that require~~
23 ~~proximity to children. Any costs incurred to perform these background checks and fingerprinting shall~~
24 ~~be paid by the applicant. The Board shall not reimburse the applicant if the position is offered and~~
25 ~~accepted.⁴~~

26 ~~Background checks shall be required of the individuals listed above at least once every five (5) years~~
27 ~~and the initial background check.¹~~

28

1 **USE AND DISSEMINATION**

2 Fingerprints or other approved forms of positive identification shall be submitted with all requests for
3 criminal history record checks for non-criminal justice purposes.² The Director of Schools shall ensure
4 the Originating Agency Identifier number is on file at all times.

5 Tennessee and FBI Criminal History Record Information (CHRI) obtained by the district shall be solely
6 used to verify criminal violation(s) and shall not be disseminated. Results shall be considered
7 confidential and only accessible to district personnel identified by the director of schools. CHRI shall
8 only be accessed by authorized personnel in the performance of their duties and shall never be released
9 to the public.

10 All persons directly associated with the accessing, maintaining, processing, dissemination or destruction
11 of CHRI must sign an awareness statement and shall indicate that they have been specially trained on
12 the subject. The training shall provide those with access to criminal history record information with a
13 working knowledge of federal and state regulations and laws governing the security and processing of
14 criminal history information. The Director of Schools is responsible for ensuring that authorized
15 personnel receive such training within 60 days of employment or job assignment and every three years.

16 **RETENTION AND SECURITY**

17 The Director of Schools shall develop procedures to ensure CHRI is stored in a secure location. Areas
18 in which CHRI is processed and handled shall be restricted to authorized personnel identified by the
19 Director of Schools. The area shall be out of the view of the public and unauthorized personnel. The
20 Director of Schools shall maintain a list of all employees who have access to, can process, disseminate,
21 and/or destroy CHRI.

22 **DISPOSAL OF CHRI**

23 When CHRI is no longer needed, it shall be destroyed by burning, shredding or other methods rendering
24 the information unreadable. Record destruction must be conducted under the supervision of the Director
25 of Schools.

26 **MISUSE**

27 Employees who misuse CHRI or violate this policy shall be subject to disciplinary action up to and
28 including termination. Any employee with knowledge of misuse shall immediately report a violation to
29 the Director of Schools.

Legal References:

1. [TCA 49-5-413](#)
2. [TCA 49-5-406\(a\)\(1\)](#); [TCA 49-5-403](#); [TCA 49-5-413\(a\)\(2\)](#), (e)
3. [TCA49-5-413\(f\)](#)
4. [TCA 49-5-413\(c\)](#)
5. [34 USCA § 40316](#)

Cross Reference:

[Application and Employment 5.106](#)
[School Volunteers 4.501](#)
[Substitute Teachers 5.701](#)

Marshall County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: School District Goals	Descriptor Code: 1.700	Issued Date: 07/14/25
		Rescinds: 1.700	Issued: 04/12/21

1 ~~The Board is charged, on behalf of the public, with the responsibility for determining the educational~~
2 ~~goals of the school system. In discharging that responsibility, the Board has adopted the following goals~~
3 ~~in four primary areas: instruction, personnel, students and operations.~~

4 ~~The Board shall develop policies to implement the goals within each area and shall annually review these~~
5 ~~goals and revise them as necessary so that each program will, at all times, support the stated goals.~~

6 **The Board shall determine the educational goals of the school district. In discharging that responsibility,**
7 **the Board has adopted the following goals:**

8 **INSTRUCTION**

- 9 1. To promote a plan for the organized improvement of school curriculum, including the articulation
10 between elementary and secondary schools;
- 11 2. To provide offerings which explore a wide range of career and service opportunities;
- 12 3. To promote an integration of academic, physical, social and emotional growth experiences for
13 each student; and
- 14 4. To promote the recognition of achievement in all endeavors (example: academic, athletic).

15 **STUDENTS**

- 16 1. To structure the overall instructional program to provide sufficient alternatives to meet a variety
17 of individual needs and aspirations;
- 18 2. To ensure that each student's interests, capacities and objectives are considered in his/her
19 learning program;
- 20 3. To develop a comprehensive program for handicapped students providing the least restrictive
21 programs; and
- 22 4. To help students gain understanding of themselves, as well as skills and techniques in living and
23 working with others and being responsible citizens.

24

25

1 PERSONNEL

- 2 1. To provide high quality performance by the staff, including both professional and support
3 personnel;
- 4 2. To establish acceptable performance standards for all personnel;
- 5 ~~3. To set goals for educator diversity that take into consideration the diversity of the student~~
6 ~~population;¹~~
- 7 4. To provide in-service training and professional growth experiences for teachers and
8 administrators; and
- 9 5. To maintain an evaluation system for the improvement of the instructional system.

10 OPERATIONS

- 11 1. To make every effort to secure adequate funding for the educational program in support of the
12 stated goals;
- 13 2. To maintain an adequate system of fiscal and business management;
- 14 3. To develop plans for the efficient use of school facilities; and
- 15 4. To ensure appropriate communication between the director of schools and the Board.

16 **The Board shall annually review these goals and revise them as necessary.**

17 **The Director of Schools is responsible for developing procedures and strategies to implement the goals**
18 **of the Board.**

Legal Reference:

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

Cross References:

Role of the Board of Education 1.101
Board Member Development Opportunities 1.204
Fiscal Management Goals 2.100
Business Management Goals 3.100
Instructional Program 4.100
Evaluations of Instructional Programs 4.702
Personnel Goals 5.100
Student Goals 6.100

Marshall County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Personnel Goals	Descriptor Code: 5.100	Issued Date: 07/14/25
		Rescinds:	Issued: 04/12/21

The Board's personnel goals are as follows:¹

1. To ensure that the Director of Schools recruits and employs the best qualified individuals to staff the school district;
2. To provide compensation, benefits, and working environments sufficient to attract and retain qualified employees;
3. ~~To set goals for educator diversity that take into consideration the diversity of the student population;[†]~~
4. To provide an in-service training program for all employees to improve their performance; and
5. To conduct an evaluation program that will contribute to the continuous improvement of staff performance.

Legal References:

1. **TCA 49-1-302(g); Public Acts of 2025, Chapter No. 494**
~~State Board of Education Policy 5.700;~~
~~TCA 49-1-302(g)~~

Cross Reference:

School District Goals 1.700

NEW POLICY

Marshall County Board of Education

Monitoring: Review: Annually, in July	Descriptor Term: Student Board Member	Descriptor Code: 1.1021	Issued Date: 07/14/25
		Rescinds:	Issued:

1 *General*

2 The Board authorizes the participation of a student representative to the Board.¹ If the Board chooses
3 to appoint a student board member, the student board member shall serve in an advisory, nonvoting
4 role. The student board member’s term shall begin [**insert timeframe**] and end [**insert timeframe**],
5 and they shall serve without compensation.

6 **SELECTION**

7 [**Insert additional criteria to be used in selecting the student board member.**]

8 **ATTENDANCE AT BOARD MEETINGS**

9 The student board member is expected to attend board meetings. Students will fully contribute their
10 unique perspective and opinions.

11 Student board members shall not participate in the following:

- 12 1. Student discipline hearing appeals;
- 13
- 14 2. Teacher disciplinary matters;
- 15
- 16 3. Meetings with legal counsel; or
- 17
- 18 4. Confidential school safety plan meetings.
- 19

Legal References

- 1. [Public Acts of 2025, Chapter No. 359](#)

Marshall County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: School District Records	Descriptor Code: 1.407	Issued Date: 07/14/25
		Rescinds: 1.407	Issued: 08/14/17

1 The director of schools shall maintain all school district records required by law, regulation, and board
2 policy. Any citizen of Tennessee shall be permitted during business hours to inspect public records
3 maintained by the school district unless otherwise prohibited by law. Any citizen of Tennessee may
4 request in writing and receive copies of open public records subject to the payment of reasonable
5 cost.^{1,2,3,4}

6 No records pertaining to individual students will be released for inspection by the public or any
7 unauthorized persons. In addition, information, records, and plans related to security and safety will not
8 be released for public inspection.⁵

9 All requests to inspect or receive copies of records shall be submitted to Jennie Carroll, the district's
10 public records request coordinator and records custodian.⁶

11 Prior to producing any record, the records custodian shall ensure confidential information is redacted.
12 Original documents remain intact and confidential information in copies produced for a requestor shall
13 be redacted. The director of schools shall develop a procedure to redact confidential information.

14 **REQUESTS FOR INSPECTION²**

15 Citizens requesting to inspect public records shall submit their request and a government issued photo
16 identification card with citizen's address to the district's public records request coordinator during
17 normal business hours. Requests may be made in person or by telephone, ~~fax~~, mail, or email. The
18 coordinator shall submit the information to the appropriate records custodian. The records custodian will
19 contact the citizen and indicate when the records will be available to inspect.

20 If the records cannot be made available within seven (7) business days, the records custodian shall
21 provide a records production letter indicating the time needed to complete the request.

22 If the request to inspect is denied, the records custodian shall provide the citizen with a records request
23 denial letter indicating the basis for the denial.

24 **REQUESTS FOR COPIES²**

25 Citizens requesting copies of public records shall complete and submit the Records Request Form and a
26 government issued photo identification card with the citizen's address to the district's public records
27 request coordinator during normal business hours. The coordinator shall submit the Records Request
28 form to the appropriate records custodian.

1 The records custodian shall provide an estimate of the reasonable costs to produce the requested records.
2 The Tennessee Comptroller of the Treasury, Office of Open Records Counsel Schedule of Reasonable
3 Charges found at <https://www.comptroller.tn.gov/openrecords/forms.asp> shall be used to determine the
4 reasonable cost. The records custodian will provide the citizen with an invoice detailing the charges. The
5 citizen shall pay the estimated reasonable costs by cash prior to the district producing the copies.

6 If the records cannot be made available within seven (7) business days, the records custodian shall
7 provide a records production letter indicating the time needed to complete the request.

8 If the request for copies is denied, the records custodian shall provide the citizen with a records request
9 denial letter detailing the basis for the denial.

10 **FREQUENT AND MULTIPLE REQUESTS**

11 When the total number of requests for copies made by a requestor within a calendar month exceeds four
12 (4), the requestor may be charged a fee for any and all labor that is reasonably necessary to produce
13 copies of the requested records. Prior to charging a reasonable fee, the requestor shall be notified of this
14 policy and provided with a Notice of Aggregation of Multiple Requestors form. The Tennessee
15 Comptroller of the Treasury, Office of Open Records Counsel Schedule of Reasonable Charges found
16 at <https://www.comptroller.tn.gov/openrecords/forms.asp> shall be used to determine the reasonable cost.
17 Further, the names of persons inspecting records and the date of inspection shall be recorded.

18 **DENYING REQUESTS FOR NONCOMPLIANCE⁷**

19 *Requests to Inspect a Public Record*

20 The district shall deny a request to inspect a public record from any citizen that has:

- 21 a. Made two (2) or more requests to view a public record within a six-month period; and
- 22 b. For each request failed to view the record within fifteen (15) business days of receiving
23 notification that the record was available.

24 Requests from this citizen shall be denied for up to six (6) months from the date of the second records
25 request. The district's public records request coordinator may waive this denial if he/she determines that
26 failure to view the record was for good cause.

27 *Requests for Copies of Public Records*

28 The district shall deny a request for copies of a public record from any citizen that has:

- 29 a. Been provided with an estimate of the reasonable cost to produce the requested records;
- 30 b. Agrees to pay such estimated reasonable cost prior to production of the records; and
- 31 c. Fails to pay the actual cost after the records have been produced.

32 Additional requests from this citizen shall be denied until the original cost is paid.

33

1 RECORDS RETENTION

2 The director of schools and/or his designee(s) shall retain and dispose of school district records in
3 accordance with the following guidelines:⁸

- 4 1. The director of schools and/or his/her designee(s) will determine if a particular record is of
5 permanent or temporary value in accordance with regulations promulgated by County Public
6 Records Commission and the Tennessee Institute for Public Services records manual;^{9,10}
- 7 2. Temporary value records which have been kept beyond the required time may be recommended
8 to the Public Records Commission for destruction;^{11,12}
- 9 3. The records that the State Librarian and Archivist desire to preserve in their facilities will be
10 transferred to the State Library and Archives. The temporary value records rejected by the State
11 Library and Archives may be transferred to another institution or destroyed;^{11,12,13}
- 12 4. Permanent records will be kept in some usable form (digital, printed, microfilm, etc.). If the
13 director of schools desires to destroy the original permanent record, these records must be
14 reproduced by microfilming or some other permanent, un-amendable, reproduction method.
15 Permission to destroy any original permanent record after microfilming shall be the same
16 procedure noted above for temporary records;^{10,12} and
- 17 5. The director of schools shall establish procedures to safeguard against the unlawful destruction,
18 removal or loss of records.¹⁴

19 DISTRICT PUBLIC RECORDS REQUEST COORDINATOR:¹⁵

20
21 Jennie Carroll
22 Human Resources Supervisor
23 931-359-1581
24 jennie.carroll@mcstn.net
25

26 Legal References

- 27 1. TCA 49-2-301(b)(1)(Z)
- 28 2. TCA 10-7-503; **Public Acts of 2025, Chapter No. 94**
- 29 3. TCA 10-7-506(a)
- 30 4. TCA 49-2-104
- 31 5. TCA 10-7-504(p)
- 32 6. Policy Related to Reasonable Charges a Records Custodian May
33 Charge for Frequent and Multiple Requests for Public Records,
34 Tennessee Comptroller of the Treasury, available at
35 <http://www.comptroller.tn.gov/content/dam/cot/orc/documents/oorc/policies-and-guidelines/ScheduleofReasonableCharges.pdf>
36 TCA 10-7-503(a)(1)(B)(C)
- 37 7. TCA 10-7-503(a)(7)(A)(vii)
- 38 8. TCA 10-7-503(h)(6)
- 39 9. TCA 10-7-401
- 40 10. TCA 10-7-406; TCA 10-7-301(5), (13)
- 41 11. TCA 10-7-404
- 42 12. TCA 10-7-413
- 43 13. TCA 10-7-414
- 44 14. TCA 39-16-504
- 45 15. TCA 10-7-503(g)(1)(D)

Cross References

Financial Reports/Records 2.701
Personnel Records 5.114
Student Records 6.600

Marshall County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Surplus Property Sales	Descriptor Code: 2.403	Issued Date: 07/14/25
		Rescinds:	Issued: 07/08/24

1 The Director of Schools shall prepare a list of unusable items for Board approval.¹ The list shall contain
2 the following information: name of item, date of purchase, and reason for disposal.

3 All unusable items shall be sold to the highest bidder after advertising in a newspaper of general
4 circulation at least seven (7) days prior to the sale.² Notice shall also be published on a news and
5 information website in accordance with state law.³

6 Surplus property which has no value or has a value of less than five hundred dollars (\$500) may be
7 disposed of without the necessity of bids. In order for such disposal without bids, the Director of Schools
8 and the Board Chair shall agree in written form that the property is of no value or is of less value than
9 five hundred dollars (\$500).⁴

10 If reasonable attempts to dispose of surplus properties fail to produce monetary return to the district, the
11 Board shall approve other methods of disposal.⁵

12 Surplus equipment will be auctioned off by the district at the end of the school year. The Board shall
13 approve all surplus equipment prior to the materials being disposed of at the end of the school year.

14 **DISPOSITION OF EQUIPMENT PURCHASED WITH FEDERAL DOLLARS⁶**

15 When equipment that was purchased with federal dollars is no longer needed for the original project or
16 program or for other activities currently or previously supported by a federal agency, disposition of the
17 equipment shall be made as follows:

- 18 1. Items of equipment with a current per-unit fair market value of ~~\$10,000~~ ~~\$5,000~~ or less than may
19 be retained, sold, or otherwise disposed of with no further obligation to the awarding agency; or
2. Items of equipment with a current per unit fair market value in excess of ~~\$10,000~~ ~~\$5,000~~ may be retained or sold, and the awarding agency shall have a right to an amount calculated by multiplying the current market value or proceeds from sale by the awarding agency's share of the equipment.

Legal References:

1. TCA 49-6-2006(b)(3); TCA 49-6-2208
2. TCA 49-6-2007(b);
3. **TCA 1-3-120; Public Acts of 2025, Chapter No. 105**
4. TCA 49-6-2007(d)
5. TCA 12-2-403(a)
6. 2 CFR § 200.313(e)

Cross References

- Duties of Officers 1.201
- Inventories 2.702
- Textbooks 4.401

Marshall County Board of Education

Monitoring: Review: Annually, in October	Descriptor Term: Emergency Preparedness Plan	Descriptor Code: 3.202	Issued Date: 07/14/25
		Rescinds: 3.202	Issued: 07/08/24

1 The director of schools shall be responsible for developing, maintaining and acquiring Board approval
2 of the district Emergency Preparedness Plan,¹ which shall include procedures for bomb threats, civil
3 disturbances, armed intruders, earthquakes, fires, tornadoes or other severe weather, and medical
4 emergencies.

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

8 **FIRE AND SAFETY DRILLS**

9 The principal shall ensure that one (1) fire drill requiring full evacuation is given every thirty (30) school
10 days, with **no more** two (2) fire drills occurring during the first thirty (30) full days of the school year.
11 Additionally, he/she shall ensure that four (4) fire safety educational announcements are conducted
12 throughout the year.²

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

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

19 The district shall work with local law enforcement and the local fire department to develop a procedure
20 for identifying the cause of fire alarm activation. This procedure must be in place by January 1, 2025
21 and shall be reviewed and updated annually thereafter.⁴

22 **ANNUAL DRILLS⁵**

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

- 25 1. An armed intruder drill in coordination with local law enforcement;
- 26 2. An incident command drill; and
- 27 3. An emergency safety bus drill.
- 28
- 29

1 AED DRILLS⁶

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

4 The Director of Schools shall develop the necessary administrative procedures on AED and CPR
5 training, planning, notification, and maintenance to comply with state law.

6 MEDICAL EMERGENCIES/PANDEMIC FLU⁷

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

11 REMOTE LEARNING DRILLS⁸

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

Legal References:

1. TRR/MS 0520-01-02-.30(2); TCA 49-6-804; TCA 49-6-805(8)
2. TCA 68-102-137(b); **Public Acts of 2025 Chapter No. 315**
3. TCA 68-102-137(f)
4. **TCA 49-6-807(e)**
5. TCA 49-6-807
6. TCA 49-2-122; TCA 49-6-1208
7. TCA 49-6-3004(a), (e); TCA 49-5-404
8. TCA 49-2-139

Cross References:

Emergency Closings 1.8011
Safety 3.201
Community Use of School Facilities 3.206

Marshall County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Threat Assessment Team	Descriptor Code: 3.204	Issued Date: 07/14/25
		Rescinds:	Issued: 07/10/23

1 *General*¹

2 A threat assessment team shall be created within the school district to develop intervention-based
3 approaches to prevent violence, manage reports of potential threats, and create a system that fosters a
4 safe, supportive, and effective school environment. The Director of Schools shall appoint the members
5 of the threat assessment team.

6 The Director of Schools shall develop administrative procedures regarding the training and operations
7 of the team to comply with state law and State Board of Education rules and regulations.

8 **TEAM MEETINGS**

9 All threat assessment team meetings shall be closed to the public.²

10 **RECORDKEEPING**³

11 The team shall document all behaviors and incidents deemed to pose a risk to school safety or that
12 resulted in intervention and shall provide the information to the Director of Schools.

13 A report of the activities of the threat assessment team will be compiled and shared with the Board
14 before each regular meeting.

15 Documents produced or obtained regarding these assessment activities will not be open for public
16 inspection.

17 **REPORTING**⁴

18 The Director of Schools shall develop a process for providing parent(s)/guardian(s) information on
19 credible threats of violence or significantly disruptive behavior directed toward or occurring on the
20 grounds of the school their student attends. Such reports shall include incidents that are reported to a
21 state or local law enforcement agency. These reports must be made within forty-eight (48) hours of the
22 district's report to law enforcement.

23 At least once per quarter, the Director of Schools shall provide the Board with a report listing the total
24 number of incidents reported to state and local law enforcement agency requiring notice to
25 parent(s)/guardian(s) for the respective quarter as well as total for the year to date.

Legal References

1. TCA 49-6-2701
2. TCA 49-6-2701(f)
3. TCA 49-6-2702
4. **Public Acts of 2025, Chapter No. 215**

Cross References

School District Records 1.407
Safety 3.201
Security 3.205
Student Records 6.600

NEW POLICY

Marshall County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Instructional Program	Descriptor Code: 4.103	Issued Date: 07/14/25
		Rescinds:	Issued:

1 *General*

2 The Board shall not discriminate on the basis of race, color, religion, sex, national origin, or disability
3 in its instructional program or activities.¹ Discrimination shall include antisemitism, defined as a
4 certain perception of Jews, which may be expressed as hatred toward Jews including, but not limited
5 to, rhetorical and physical manifestations of antisemitism directed toward Jewish or non-Jewish
6 individuals and/or their property, toward Jewish community institutions and religious facilities.²

7 **GOALS**

8 The Board approves the following instructional goals for students:

- 9 1. To develop the skills necessary to function as a self-directed person;
- 10 2. To know the principles involved in making moral and ethical choices;
- 11 3. To develop the basic skills of reading, writing, mathematics, spelling, speaking, and problem
12 solving;
- 13 4. To develop a positive attitude toward the lifelong endeavor of learning;
- 14 5. To learn to identify personal talents and interests, make appropriate career choices, and develop
15 career skills;
- 16 6. To acquire knowledge and to develop skills in the management of personal and public
17 resources necessary for meeting obligations to self, family, and society;
- 18 7. To learn to act in a responsible manner;
- 19 8. To learn of the rights and responsibilities of citizens of the community, state, nation, and world;
20 and
- 21 9. To learn to understand, respect, and interact with people of different cultures, generations, and
22 races.

Legal References

1. [42 USCA § 2000d et seq.](#)
2. [Public Acts of 2025, Chapter No. 293](#)

Cross References

School District Goals 1.700
Student Goals 6.100
Student Concerns 6.305

Marshall County Board of Education

Monitoring: Review: Annually, in March	Descriptor Term: Discrimination/Harassment of Employees (Sexual, Ethnic, Religious)	Descriptor Code: 5.500	Issued Date: 07/14/25
		Rescinds: GAO	Issued: 12/14/99

1 Employees shall be provided a work environment free from sexual, racial, ethnic and religious
2 discrimination/harassment (including the definition of antisemitism found in policy 4.100). It shall be a
3 violation of this policy for any employee or any student to discriminate against or harass an employee
4 through disparaging conduct or communication that is sexual, racial, ethnic or religious in nature. The
5 following guidelines are set forth to protect employees from discrimination/harassment.

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

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

14 Alleged victims of sexual, racial, ethnic and religious discrimination/harassment shall report these
15 incidents immediately.² This report should be made to the immediate supervisor except when the
16 immediate supervisor is the offending party. If the immediate supervisor is the offending party, the report
17 may be made to the EIA Director or the Personnel Director. Allegations of discrimination/ harassment
18 shall be fully investigated (as set forth in *Complaints and Grievances 5.501*). An oral complaint may be
19 submitted, however such complaint must be reduced to writing to ensure a more complete investigation.
20 The complaint should include the following information.

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

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

1 A substantiated charge against an employee shall result in disciplinary action up to and including
2 termination. A substantiated charge against a student may result in corrective or disciplinary action up
3 to and including suspension.

4 There will be no retaliation against any person who reports discrimination/harassment or participates in
5 an investigation. However, any employee who refuses to cooperate or gives false information during the
6 course of any investigation may be subject to disciplinary action. The willful filing of a false report will
7 itself be considered harassment and will be treated as such.

8 An employee disciplined for violation of this policy may appeal the decision by contacting the EIA
9 Director or the Personnel Director.

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Legal References:

1. 29 CFR § 1604.11; TCA 5-23-104; Public Acts of 2025, Chapter No. 293
2. 20 USCA§ 1681

Cross References:

Equal Opportunity Employment 5.104
Complaints and Grievances 5.501
Title IX & Sexual Harassment 6.3041

Marshall County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Student Discrimination/Harassment and Bullying/Intimidation and Cyberbullying	Descriptor Code: 6.304	Issued Date: 07/14/25
		Rescinds: 6.304	Issued: 11/09/20

1 The Marshall County Board of Education has determined that a safe, civil, and supportive environment
2 in school is necessary for students to learn and achieve high academic standards. In order to maintain
3 that environment, acts of bullying, cyber-bullying, discrimination (including the definition of
4 antisemitism found in policy 4.100), harassment, intimidation, hazing or any other victimization of
5 students, based on any actual or perceived traits or characteristics are prohibited.¹

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

13 Building administrators are responsible for educating and training their respective staff and students as
14 to the definition and recognition of violations of this policy.³

15 **DEFINITIONS⁴**

16 *Bullying/Intimidation/Harassment* – An act that substantially interferes with a student's educational
17 benefits, opportunities, or performance, and the act has the effect of:

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

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

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

29 *Hazing* – An intentional or reckless act by a student or group of students that is directed against any other
30 student(s) that endangers the mental or physical health or safety of the student(s) or that induces or

1 coerces a student to endanger his/her mental or physical health or safety. Coaches and other employees
2 of the school district shall not encourage, permit, condone or tolerate hazing activities.⁵

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

6 **COMPLAINTS AND INVESTIGATIONS**

7 Alleged victims of the above-referenced offences shall report these incidents immediately to a teacher,
8 counselor or building administrator.⁶ All school employees are required to report alleged violations of
9 this policy to the principal/designee. All other members of the school community, including students,
10 parents, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy.

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

16 The principal/designee at each school shall be responsible for investigating and resolving complaints.
17 Once a complaint is received, the principal/designee shall initiate an investigation within forty-eight (48)
18 hours of receipt of the report.⁴ If a report is not initiated within forty-eight (48) hours, the
19 principal/designee shall provide the director of schools with appropriate documentation detailing the
20 reason why the investigation was not initiated within the required timeframe.⁷

21 The principal/designee shall immediately notify the parent(s)/guardian(s) when a student is involved in
22 an act of discrimination, harassment, intimidation, bullying, or cyber-bullying. The principal/designee
23 shall provide information on district counseling and support services. Students involved in an act of
24 discrimination, harassment, intimidation, bullying, or cyber-bullying shall be referred to the appropriate
25 school counselor by the principal/designee when deemed necessary.⁸

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

- 28
- It places the student in reasonable fear or harm for the student’s person or property;
 - It has a substantially detrimental effect on the student’s physical or mental health;
 - It has the effect of substantially interfering with the student’s academic performance; or
 - It has the effect of substantially interfering with the student’s ability to participate in or benefit
31 from the services, activities, or privileges provided by the school.
- 32

33 Upon the determination of a violation, the principal/designee shall conduct a prompt, thorough, and
34 complete investigation of each alleged incident. All investigations shall be completed and appropriate
35 intervention taken within twenty (20) calendar days from the receipt of the initial report.⁴ If the
36 investigation is not complete or intervention has not taken place within twenty (20) calendar days, the
37 principal/designee shall provide the director of schools with appropriate documentation detailing the
38 reasons why the investigation has not been completed or the appropriate intervention has not taken

1 place.⁴ Within the parameters of the federal Family Educational Rights and Privacy Act (FERPA)⁹, a
2 written report on the investigation will be delivered to the parents of the complainant, parents of the
3 accused students and to the Director of Schools.

4 **RESPONSE AND PREVENTION¹⁰**

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

8 A substantiated charge against an employee shall result in disciplinary action up to and including
9 termination. A substantiated charge against a student may result in corrective or disciplinary action up
10 to and including suspension.

11 An employee disciplined for violation of this policy may appeal the decision by contacting the Federal
12 Rights Coordinator or the Human Resources Coordinator. Any student disciplined for violation of this
13 policy may appeal the decision in accordance with disciplinary policies and procedures.

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

17 **REPORTS**

18 When a complaint is filed alleging a violation of this policy where there is physical harm or the threat of
19 physical harm to a student or a student's property, the principal/designee of each elementary school,
20 middle school, or high school shall report the findings and any disciplinary actions to the director of
21 schools and the chair of the board of education.¹¹

22 By July 1 of each year, the director of schools/designee shall prepare a report of all of the bullying cases
23 brought to the attention of the school officials during the prior academic year. The report shall also
24 indicate how the cases were resolved and/or the reasons they were still pending. This report shall be
25 presented to the board of education at its regular July meeting, and it shall be submitted to the state
26 department of education by August 1.¹²

27 The director of schools shall develop forms and procedures to ensure compliance with the requirements
28 of this policy and TCA §49-6-4503.

29 **RETALIATION AND FALSE ACCUSATIONS**

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

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

Legal References:

1. TCA 49-6-4503(a), (b)(3) 20 USCA §§ 1681 to 1686; Public Acts of 2025, Chapter No. 293
2. TCA 49-6-4506(b)(11)
3. TCA 49-6-4503(b)(12)
4. TCA 49-6-4503(b)(2), (13)
5. TCA 49-2-120
6. TCA 49-6-4503(b)(5)
7. TCA 49-6-4503(b)(6)
8. TCA 49-6-4503(b)(14)
9. 20 USCA § 1232g
10. TCA 49-6-4503(b)(4), (7)-(8)
11. TCA 49-6-4503(d)(3)
12. TCA 49-6-4503(c)(2)(B)
13. TCA 49-6-4503(b)(9)
14. TCA 49-6-4503(b)(10)

Cross References:

Section 504 and ADA Grievance Procedures 1.802
Staff-Student Relations 5.610
Student Goals 6.100
Title IX & Sexual Harassment 6.3041
Code of Conduct 6.300
Student Concerns 6.305
Reporting Child Abuse 6.409
Emergency Contact Information 6.410
Student Suicide Prevention 6.415

Marshall County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Virtual/Remote Education Programs	Descriptor Code: 4.102	Issued Date: 07/11/22
		Rescinds:	Issued: 09/20/21

1 *General*

2 The Marshall County Board of Education virtual education program is a course or series of courses
3 offered by a school district to provide students a broader range of educational opportunities through the
4 use of technology. Utilizing this program is temporary and shall not replace a student's regular
5 instructional program.¹

6 Class size ratios for the virtual education program shall comply with the requirements as outlined in state
7 law.²

8 Virtual education programs³ may be made available to students for the following purposes:

- 9 1. Academic remediation, enrichment, or providing students access to a wider range of courses;
- 10 2. Continuity of educational service for students who are homebound;⁴
- 11 3. Continuity of educational service when the district utilizes remote instruction due to dangerous
12 or extreme weather conditions, a serious outbreak of illness affecting or endangering students or
13 staff, or during the administration of end of course examinations or other examinations as allowed
14 per state law.⁵

15 **ELIGIBILITY AND PARTICIPATION REQUIREMENTS**

16 Students may be eligible to utilize a virtual education program if participating in one of the above
17 educational opportunities. The following factor shall also be taken into consideration when determining
18 eligibility:

19 **ATTENDANCE**

20 Student attendance in the virtual education program shall adhere to the general requirements of board
21 policy 6.200 and any relevant administrative procedures.

22 Methods of confirming student attendance shall include two or more of the following:

- 23 1. Students participating in a phone call with a teacher, with parent/guardian support as appropriate
24 for the age of the student;
- 25 2. Students participating in synchronous virtual instruction;
- 26 3. Students completing work in a learning management system; or
- 27 4. Students submitting work via hard-copy or virtual formats.

28

Legal References:

1. TRR/MS 0520-01-03-.05(2)
2. TCA 49-1-104(h); State Board of Education Policy 3.206
3. TCA 49-16-101; TRR/MS 0520-01-03-.05(2)(a)
4. TRR/MS 0520-01-02-.10; TRR/MS 0520-01-09-.07
5. Public Acts of 2022, Chapter No. 897

Cross Reference:

Emergency Closings 1.8011
Homebound Instruction 4.206
Credit Recovery 4.210
Alternative School Programs 6.319

Marshall County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: <h2 style="text-align: center;">Interscholastic Athletics</h2>	Descriptor Code: 4.301	Issued Date: 07/14/25
		Rescinds: 4.301	Issued: 08/12/24

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.¹ 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.² 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.³ 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.⁴

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 § 29-20-403.⁵

22 There shall be a complete annual physical examination of every student prior to his/her participation in
 23 interscholastic athletics.⁶ 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

1 day without written permission from the Board.⁷ 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.⁸

7 **SEVERE WEATHER⁴**

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

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

15 **PROHIBITION AGAINST HAZING**

16 Coaches, employees, and volunteers of the school district shall not encourage, permit, condone, or
17 tolerate hazing activities.⁹

18 **PERSONAL CONDUCT AT SPORTING EVENTS**

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

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

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

29 A second offense will result in a one calendar year suspension from any and all Marshall County Schools
30 extracurricular activities and will be required to reimburse the board the amount of the fine. Failure to
31 reimburse the board will result in a confirmed suspension from any and all Marshall County Schools
32 extracurricular activities until such fine has been reimbursed to the board.

33 **HOME SCHOOL STUDENT PARTICIPATION¹⁰**

34 Home school students shall be permitted to participate in accordance with TSSAA or TMSAA
35 guidelines. If a school is not a member with these organizations, home school students that are zoned

1 for the school shall be permitted to participate in interscholastic athletics to the same extent as other
2 students.

3 **VIRTUAL SCHOOL STUDENT PARTICIPATION¹¹**

4 Virtual 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, virtual 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.

Legal References:

1. 20 U.S.C. § 1681, et seq.; 34 CFR § 106.41
2. TCA 49-6-310(a)
3. TRR/MS 0520-01-02-.08(1)
4. TCA 49-6-3601
5. TCA 29-20-403
6. 20 USCA § 1232h(c); TRR/MS 0520-01-13-.01(1)(a)
7. TCA 49-6-1002(a)
8. TCA 49-6-1002(c)
9. TCA 49-2-120
10. TCA 49-6-3050(e)(1)(B)
11. Public Acts of 2025, Chapter No. 173

Cross Reference:

- Special Use of School Vehicles 3.402
Student Insurance Program 3.601
Extracurricular Activities 4.300
Attendance 6.200

Marshall County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Library Materials	Descriptor Code: 4.402	Issued Date: 07/14/25
		Rescinds: 4.402	Issued: 07/08/24

1 *General*

The librarian shall be responsible for library collection development. Library materials shall be reviewed to ensure the content aligns with state law.¹ The library collection shall adhere to the following criteria:²

1. Materials shall be suitable for and consistent with the educational mission of the school;
2. Materials shall be appropriate for the age and maturity levels of the students who may access them. The determining factor will be based on an assessment of any mature themes or content (i.e., violence, sexual content, vulgar language, substance abuse);
3. Materials shall contain literary, historical, and/or artistic value and merit; and
4. The collection as a whole shall offer a variety of viewpoints; and
5. **Materials shall not be removed on the sole grounds that the item is religious.**

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

Any materials that meet the following criteria shall be removed and excluded from the district's library collection.

1. Contains nudity, descriptions or depictions of sexual excitement, sexual conduct, excess violence, or sadomasochistic abuse as defined in state law;³
2. Are patently offensive as defined in state law; or
3. Appeal to the prurient interest as defined in state law.

The Board shall be notified when any library materials are challenged or removed pursuant to this policy.

COMPLAINTS³

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

1. Inform the complainant of the selection procedures and make no commitments.
 2. Request the complainant to submit a Request for Reconsideration of Library Materials form.
 3. Inform the principal (and other appropriate personnel).
 4. Upon receipt of the completed form, the principal shall notify the director of schools.
 5. Pull challenged materials from library shelves districtwide while being reviewed.
 6. The principal shall request review of the challenged materials by an ad hoc materials review committee. The review committee is appointed by the principal and includes certified Library Media Specialists, representatives from classroom teachers, one or more parents, and may
-

include one or more students. The principal is responsible for acquiring the challenged materials and the principal is responsible for distributing challenged materials to the ad hoc materials review committee. To allow time for material acquisition, distribution, and review of challenged materials, a period of thirty (30) working days will be allowed for a final decision to be made by the committee. The principal will inform the director of schools of the review committee's decision.

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

Legal References:

1. *Board of Education, Island Trees Union Free School District No. 26 v. Pico*, 457 U.S. 853, 102 S. Ct. 2799 (1982); TCA 49-6-3803,
2. TCA 49-6-3803(a),(b); Public Acts of 2025, Chapter No. 270
3. TCA 39-17-901
4. TCA 49-6-3803(e), (f)

Cross References:

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

Marshall County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Use of the Internet	Descriptor Code: 4.406	Issued Date: 07/14/25
		Rescinds: 4.406	Issued: 07/11/22

1 The Board supports the right of staff and students to have reasonable access to various information
2 formats and believes it incumbent upon staff and students to use this privilege in an appropriate and
3 responsible manner.

4 **Employees**

5 Before any employee is allowed use of the district's Internet or intranet access, the employee shall sign
6 a written agreement, developed by the director/designee that sets out the terms and conditions of such
7 use. Any employee who accesses the district's computer system for any purpose agrees to be bound by
8 the terms of that agreement, even if no signed written agreement is on file.

9 The director of schools shall develop and implement procedures for appropriate Internet use which shall
10 address the following:

- 11 1. Development of the Network and Internet Use Agreement.
- 12 2. General rules and ethics of Internet access.
- 13 3. Guidelines regarding appropriate instruction and oversight of student Internet use.
- 14 4. **A uniform signature block for use by all district employees; and**
- 15 5. Prohibited and illegal activities, including but not limited to the following:¹
 - 16 • Sending or displaying offensive messages or pictures
 - 17 • Using obscene language
 - 18 • Harassing, insulting, defaming or attacking others
 - 19 • Damaging computers, computer systems or computer networks
 - 20 • Hacking or attempting unauthorized access to any computer
 - 21 • Violation of copyright laws
 - 22 • Trespassing in another's folders, work or files
 - 23 • Intentional misuse of resources
 - 24 • Using another's password or other identifier (impersonation)
 - 25 • Use of the network for commercial purposes
 - 26 • Buying or selling on the Internet

27
28
29

1 Students

2 The director of schools shall develop and implement procedures for appropriate Internet use by students.
3 Procedures shall address the following:

- 4 1. General rules and ethics of Internet use.
- 5 2. Prohibited or illegal activities, including, but not limited to:¹
 - 6 • Sending or displaying offensive messages or pictures
 - 7 • Using obscene language
 - 8 • Harassing, insulting, defaming or attacking others
 - 9 • Damaging computers, computer systems or computer networks
 - 10 • Hacking or attempting unauthorized access
 - 11 • Violation of copyright laws
 - 12 • Trespassing in another's folders, work or files
 - 13 • Intentional misuse of resources
 - 14 • Using another's password or other identifier (impersonation)
 - 15 • Use of the network for commercial purposes
 - 16 • Buying or selling on the Internet

17 INTERNET SAFETY MEASURES²

18 Internet safety measures shall be implemented that effectively address the following:

- 19 ~~• Controlling access by students to inappropriate matter on the Internet and World Wide Web~~
- 20 ~~• Safety and security of students when they are using electronic mail, chat rooms, and other~~
- 21 ~~forms of direct electronic communications~~
- 22 ~~• Preventing unauthorized access, including "hacking" and other unlawful activities by~~
- 23 ~~students on-line~~
- 24 ~~• Unauthorized disclosure, use and dissemination of personal information regarding students~~
- 25 ~~• Restricting students' access to materials harmful to them~~
- 26
- 27 1. Limiting the content accessible by students using the internet access provide by the district to
- 28 content that is age-appropriate;
- 29 2. Protecting the safety and security of students when they are using electronic mail, chat rooms,
- 30 and other forms of direct electronic communications using internet access provided by the
- 31 district;
- 32 3. Preventing unauthorized access, including "hacking" and other unlawful activities by students
- 33 online;
- 34 4. Restricting students' access to materials harmful to them; and
- 35 5. Preventing students from using internet access provided by the district to access websites, web
- 36 applications, or software that does not protect students against the disclosure, use of
- 37 dissemination of their personal information.
- 38
- 39

1 The director of schools/designee shall establish a process to ensure the district's education technology is
2 not used for purposes prohibited by law or for accessing sexually explicit materials. The process shall
3 include, but not be limited to:

- 4 • Utilizing technology that filters, blocks or otherwise prevents Internet access (for both
5 students and adults) to material that is obscene or pornographic;³
- 6 • Prohibiting and preventing a user from sending, receiving, viewing, or downloading materials
7 that are deemed to be harmful to minors;⁴
- 8 • Maintaining and securing a usage log
- 9 • Monitoring on-line activities of students²

10 The Board shall provide reasonable public notice of, and at least one (1) ~~annual~~ public hearing or meeting
11 to address and communicate, its Internet safety measures.²

12 A written parental consent shall be required prior to the student being granted access to electronic media
13 involving district technological resources. The required permission/agreement form, which shall specify
14 acceptable uses, rules of on-line behavior, access privileges and penalties for policy/procedural
15 violations, must be signed by the parent/legal guardian of minor students (those under 18 years of age)
16 and also by the student. This document shall be executed each year and shall be valid only in the school
17 year in which it was signed unless parent(s) provide written notice that consent is withdrawn. In order
18 to rescind the agreement, the student's parent/guardian (or the student who is at least 18 years old) must
19 provide the director of schools with a written request.

20 Complaints alleging a violation of the internet safety measures shall be submitted to the Technology
21 Supervisor. All complaints shall be reviewed to determine how to appropriately respond.

22 **E-MAIL**

23 Users with network access shall not utilize district resources to establish electronic mail accounts through
24 third-party providers or any other nonstandard electronic mail system. All data including e-mail
25 communications stored or transmitted on school system computers shall be monitored.
26 Employees/students have no expectation of privacy with regard to such data. E-mail correspondence
27 may be a public record under the public records law and may be subject to public inspection.⁵

28 **INTERNET SAFETY INSTRUCTION⁶**

29 Students will be given appropriate instruction in internet safety as a part of any instruction utilizing
30 computer resources. The director of schools shall provide adequate in-service instruction on internet
31 safety. Parent(s)/Guardian(s) and students will be provided with material to raise awareness of the
32 dangers posed by the internet and ways in which the internet may be used safely.

33 **SOCIAL NETWORKING**

- 34 1. Students are prohibited from accessing social media platforms using district internet except when
35 expressly authorized by a teacher for educational purposes.⁷

36

- 1 2. District staff who have a presence on social networking websites are prohibited from posting
- 2 data, documents, photographs, or inappropriate information that is likely to create a material and
- 3 substantial disruption of classroom activity.
- 4
- 5 3. District staff are prohibited from accessing personal social networking sites on school computers
- 6 or during school hours except for legitimate instructional purposes.
- 7
- 8 4. The board discourages district staff from socializing with students on social networking websites.
- 9 The same relationship, exchange, interaction, information, or behavior that would be
- 10 unacceptable in a non-technological medium is unacceptable when done through the use of
- 11 technology.

12 **VIOLATIONS**

13 Violations of this policy or a procedure promulgated under its authority shall be handled in accordance
14 with the existing disciplinary procedures of this District.

15 **VENDOR CONTRACTS⁸**

16 Prior to entering into any contract for the provision of digital or online materials created or marketed for
17 kindergarten through grade twelve (K-12), the district shall obtain an assurance that the vendor shall
18 adhere to state law. This determination includes ensuring that the vendor filters, blocks, or otherwise
19 prevents access to pornography or obscenity and verifying that the technology prevents a user from
20 sending, receiving, viewing, or downloading materials that are harmful to minors.

21

Legal References:

1. TCA 39-14-602
2. 47 USCA § 254(h)(5)(A)-(C), 254(l); 47 CFR § 54.520(c)(l)(i); 20 USCA § 7131; **Public Acts of 2025, Chapter No. 195**
3. **TCA 49-1-221(a)(1)(c)(i)**
4. TCA 39-17-901; **TCA 49-1-221-(a)(1)(C)(ii)**
5. TCA 10-7-512
6. TCA 49-1-221(a)(1)(E)
7. **Public Acts of 2025, Chapter No. 195**
8. **TCA 49-1-221(c)**

Cross References:

Use of Electronic Mail (e-mail) 1.805
Use of Artificial Intelligence Programs 4.214
 School and System Websites 4.407
Controversial Materials 4.801
Student Publications 6.704

Marshall County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Reporting Student Progress	Descriptor Code: 4.601	Issued Date: 07/14/25
		Rescinds: 4.601	Issued: 03/09/06

1 Student progress reports shall be provided at least once every four and one-half (4½) weeks during the
2 school year. The reporting procedure shall be in writing and shall be uniform for all reporting periods
3 during each school year.¹ Each report shall be signed by the parents and returned promptly to the school.

4 Student progress reports shall indicate the students' conduct, attendance and academic progress and other
5 information necessary to communicate effectively with the parents. **For students in grades kindergarten
6 through eight (K-8), the student's score on the most recently administered universal reading screener
7 shall also be included along with the results of a dyslexia screener, if applicable.²**

8 In addition to the regular progress reports, principals and teachers are encouraged to confer with parents
9 on the educational progress of their children. Teachers shall consult with parents of students who are
10 working at an unsatisfactory level or whose performance shows a marked or sudden deterioration.
11 Parents shall be notified by the teacher as early in the school year as possible if the retention of a student
12 is being considered.

13 DRIVER'S LICENSE REVOCATION

14 Any student fifteen (15) years of age or older who becomes academically deficient or deficient in
15 attendance shall be reported to the Department of Safety for driver's license revocation.

16 A student shall be deemed academically deficient if he/she has not received passing grades in at least
17 half of the attempted credits at the end of semester grading. A student shall be deemed deficient in
18 attendance when s/he drops out of school or has ten (10) consecutive or fifteen (15) days total unexcused
19 absences during a single semester. Suspensions shall be considered unexcused absences.

20 A copy of the notice sent to the Department of Safety by the attendance teacher or the director of schools
21 shall also be mailed to the student's parent or guardian.²

22 PARENT CONFERENCES

23 At least one (1) time during the school year, conferences shall be scheduled in which parents and teachers
24 may discuss any pertinent problems or other matters of concern regarding the development and education
25 of each student. These scheduled conferences shall not use any portion of the 180 days of classroom
26 instruction.³ The director of schools shall be responsible for scheduling and coordinating systemwide
27 conferences.

28 Conferences shall be physically accessible to all students, parents and/or guardians.⁴

29

1

Legal References:

1. TRR/MS 0520-1-3-.05(3)(a); TCA 49-6-901
2. Public Acts of 2025, Chapter No. 330
3. TCA 49-6-7002
4. 28 CFR § 36.201-2

Cross References:

School Calendar 1.800
Section 504/ADA Grievance Procedures 1.802
Grading System 4.600
Promotion and Retention 4.603
In-Service and Professional Learning Opportunities 5.113
Staff Time Schedules 5.602
Attendance 6.200
Withdrawals 6.207

Marshall County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Compensation Guides	Descriptor Code: 5.110	Issued Date: 11/09/20
		Rescinds: 5.110	Issued: 06/09/14

1 The director of schools shall establish the salary rating of each person employed and shall recommend
2 such salary rating to the Board for its approval.¹ (9/1/00)

3 Salaries of all employees, including substitute and supplemental pay, shall be paid by the Board. No
4 payment to any employee for service performed on behalf of the school system shall be made from any
5 source other than the Board.²

6 Work contracts of professional personnel shall include two-hundred (200) days of responsibility, plus
7 twenty (20) days for each additional month assigned by the Board. Each work contract shall provide:³

- 8 1. A minimum of one hundred eighty (180) student attendance days;
- 9 2. A minimum of five (5) days for in-service education;
- 10 3. One (1) day for parent-teacher conferences;⁵
- 11 4. Ten (10) vacation/holiday days plus one (1) day for each additional twenty (20) days worked;
- 12 and
- 13 5. Four (4) days as designated by the Board.

14 The school calendar adopted by the Board each year shall become part of each employee's work
15 schedule.

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

20 VACATION DAYS

21 Employees will be allowed to carry up to ten (10) unused vacation days after July 31. Failure to use any
22 days greater than ten (10) days will result in the loss of said days.

Legal References:

1. TCA 49-2-203(a)(1); TCA 49-5-408
2. TCA 49-5-402
3. TCA 49-6-3004
4. TCA 49-6-2006; *Tennessee Internal School Financial Management Manual*, Section 5, Title 6

Cross References:

- School Calendar 1.800
- Revenues 2.400
- Payroll Procedures 2.802

Marshall County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Employment of Retirees	Descriptor Code: 5.119	Issued Date: 07/14/25
		Rescinds: 5.119	Issued: 08/14/23

1 *General*¹

2 The Director of Schools may hire a retired individual if certain conditions are met as provided for in
3 state law. **Prior to commencement of reemployment, the Director of Schools shall provide the required**
4 **employment information to the Tennessee Consolidated Retirement System (TCRS). In order to be**
5 **eligible for employment after retirement, a TCRS member must comply with the following:**

- 6 1. **The retired member must have a bona fide separation of service which includes a separation**
7 **of at least sixty (60) calendar days and no previous agreement to return to work after**
8 **retirement; and**
- 9 2. **The retired member may not accrue additional retirement benefits as a result of the member's**
10 **reemployment and may not draw disability retirement benefits.**

12 **EMPLOYMENT CONTRACTS FOR UP TO 120 DAYS**²

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

17 **To continue receiving TCRS benefits, the following conditions must be met in addition to the general**
18 **standards above:**

- 19 1. **During a twelve-month period, the retiree must not work more than one hundred twenty (120)**
20 **days; and**
- 21 2. **The retired member's compensation must not exceed 60% of the annual full-time salary**
22 **received in the year immediately prior to the member's last paid day of covered employment.**
23 **This amount shall be adjusted by five percent (5%) for each year after that date.**

24 **The retired member may work beyond one hundred twenty (120) days as a substitute teacher if the**
25 **payment does not exceed the rate of compensation for substitute teachers filling similar vacant**
26 **positions.**

27 **GENERAL EMPLOYMENT CONTRACTS**

28 ~~The director of schools may employ retired teachers. Retirement benefits will not be lost or suspended~~
29 ~~under certain conditions which include, but are not limited to, the following:~~²

- ~~1. The retired teacher shall hold a valid license and shall not be entitled to tenure status;~~
- ~~2. The retired teacher shall not be eligible to accrue additional retirement benefits, accrue leave, or receive medical insurance coverage; and~~
- ~~3. The salary paid to the retired teacher shall not be less than the rate of compensation set by the Board for teachers with no experience filling similar positions or more than eighty-five percent (85%) of the rate of compensation set by the Board for teachers with comparable training and years of experience filling similar positions.~~

~~ADDITIONAL EMPLOYMENT OPTION FOR RETIREES³~~

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

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

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

HARD TO FILL POSITIONS³

The Director of Schools may contract with retired members for hard to fill positions if the following conditions are met in addition to the general standards above:

- 1. During the reemployment, the retirement benefit payable to the retiree must be reduced to seventy percent (70%) of the retirement allowance the member would have otherwise been entitled to receive; and**
- 2. The retired member's reemployment must not exceed one (1) year, but the retired member may be reemployed for additional one-year periods per state law.**

1 The Director of Schools shall certify to TCRS that the employee is being rehired in a hard-to-fill
2 position. In order to qualify, one or more of the following conditions must be established:

- 3 1. It is difficult to recruit and retain qualified employees for the position;
- 4
- 5 2. The position requires specialized certification, credentials, or education;
- 6
- 7 3. The demand for the position exceeds the supply;
- 8
- 9 4. The position is in high demand in the marketplace;
- 10
- 11 5. The position is filled by key personnel;
- 12
- 13 6. The position requires specific skills and experience; or
- 14
- 15 7. The position has other unique recruitment or retention issues identified and documented by the
16 Director of Schools.

17 Once the retired member is hired, the district shall pay TCRS the greater of: (1) a payment equal to the
18 amount the employer would have contributed to the retirement system during the period of
19 reemployment; or (2) an amount equal to five percent (5%) of the retired member's earnable
20 compensation.

21

Legal References:

1. TCA 8-36-805; TCA 8-36-809; Public Acts of 2025,
Chapter No. 159
2. TCA 8-36-805; Public Acts of 2025, Chapter No. 159
3. TCA 8-36-809; Public Acts of 2025, Chapter No. 159

Cross Reference:

Application and Employment 5.106
Substitute Teachers 5.701

Marshall County Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Family and Medical Leave	Descriptor Code: 5.305	Issued Date: 07/14/25
		Rescinds: 5.305	Issued: 07/10/23

1 **PURPOSE**

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

4 **ELIGIBILITY**

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

9 **GENERAL PRINCIPLES**

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

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

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

25 **MATERNITY/PATERNITY LEAVE**

- 26 1. *Relationship between FMLA leave and Tennessee Maternity Leave Act* – FMLA leave shall run
27 concurrently with leave provided under the Tennessee Maternity Act, which affords eligible
28 employees leave for a period not to exceed four (4) months for the adoption, pregnancy,
29 childbirth and nursing of a newborn child.³
-

- 1 2. *Teachers' Sick Leave* – In accordance with state law, any teacher who goes on maternity or
 2 paternity leave shall be allowed to use all or a portion of the teacher's accumulated sick or annual
 3 leave for maternity leave purposes. In order to be eligible to use sick leave, written request of the
 4 teacher accompanied by a statement from the teacher's physician verifying pregnancy shall be
 5 submitted. Upon verification by a written statement from an adoption agency or other entity
 6 handling an adoption, a teacher may also be allowed to use accumulated leave for adoption of a
 7 child. If both adoptive parents are teachers employed by the district, however, only one (1) parent
 8 is entitled to use such leave.⁴
- 9 3. Spouses who are both eligible employees of the school district are limited to a combined total of
 10 twelve (12) workweeks of FMLA leave in a single twelve (12) month period if the leave is taken
 11 for birth and care of a newborn child, for placement of a child for adoption or foster care, or to
 12 care for a parent who has a serious health condition. Under certain circumstances, spouses who
 13 share leave for the birth or adoption of a child may be eligible for limited amounts of additional
 14 leave for other qualifying FMLA reasons.⁵
- 15 4. *Paid Parental Leave* – Under state law, an additional six (6) work weeks of paid leave is available
 16 to eligible employees after a birth, stillbirth, or adoption of a newly placed minor **child**⁶. An
 17 eligible employee taking leave under this provision shall not be required to utilize any other type
 18 of accrued leave during this period. Eligible employees include teachers, principals, supervisors,
 19 or other individuals required by law to hold a valid license of qualification for employment **and**
 20 **who meet the following requirements:** ~~who have been employed with a school district full-time~~
 21 ~~for at least twelve (12) consecutive months.~~
- 22 a. Possess a valid license or an emergency credential issued by the Department of Education
 23 per TCA 49-5-106, required for the position the employee holds;
- 24 b. Have been employed with the district full time for at least twelve (12) consecutive months
 25 in a position for which the employee is required by law to hold the license or an
 26 emergency credential referenced above at the time of the qualifying event; and
- 27 c. Have held a valid license or an emergency credential issued by the Department of
 28 Education per TCA 49-5-106 for the entire twelve consecutive months of fulltime
 29 employment.

30

31 Employees shall provide notice to the school district thirty (30) days prior to the intended use of
 32 the leave. If the employee learns about the need for leave less than thirty (30) days in advance,
 33 the employee shall give notice as soon as reasonably possible in order to be eligible for the paid
 34 leave. ~~This paid leave does not need to be taken consecutively; however,~~ **This paid leave shall**
 35 **be either: (1) taken consecutively, except in extenuating circumstances, as determined by the**
 36 **Director of Schools; or (2) taken nonconsecutively, but in increments of no less than one (1)**
 37 **week.** The paid leave shall be used within twelve (12) months of the qualifying event and shall
 38 run concurrently with FMLA leave.⁷

40 **LEAVE FOR A SERIOUS HEALTH CONDITION**⁸

41

42 Eligible employees, upon request, shall be granted up to twelve (12) weeks of unpaid leave when he/she
 43 is unable to work because of a serious health condition or to care for an immediate family member with
 44 a serious health condition. Granting of such leave shall be subject to the provisions of applicable federal
 45 and state laws. Employees shall contact Human Resources to determine if the reason for leave qualifies
 46 as Family and Medical Leave. If the leave is foreseeable, the employee shall give thirty (30) days' notice.

1 If the leave is not foreseeable, the employee shall notify Human Resources as soon as practicable,
2 generally, either the same or next business day.

4 **LEAVE FOR MILITARY FAMILY MEMBERS**

- 5
- 6 1. *Qualifying Exigency Leave*⁹ – Eligible employees are entitled to up to twelve (12) workweeks of
7 leave because of any qualifying exigency arising out of the fact that the spouse, son, daughter, or
8 parent of the employee, as defined under the FMLA, is on active duty, or has been notified of an
9 impending call to active duty, or has been notified of an impending call to active duty status, in
10 the Armed Forces. Qualifying exigencies may include:
 - 11 a. issues arising from the service member’s short notice deployment;
 - 12 b. military events and related activities (e.g. official ceremonies, support programs);
 - 13 c. making or updating financial and legal arrangements
 - 14 d. attending counseling;
 - 15 e. taking up to fifteen (15) days leave to spend time with a covered service member who is
16 on short-term rest and recuperation leave during deployment; or
 - 17 f. attending post-deployment activities.
 - 18 2. *Military Caregiver Leave*¹⁰ – An eligible employee who is the spouse, son, daughter, parent, or
19 next of kin of a covered service member or covered veteran with a serious injury or illness is
20 entitled to up to twenty-six (26) workweeks of leave in a single twelve (12) month period. A
21 covered service member is a current member of the Armed Forces, including a member of the
22 National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is
23 otherwise in out-patient status, or is otherwise on the temporary disability retired list, for a serious
24 injury or illness.

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

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

37 **INTERMITTENT LEAVE**¹¹

38 Eligible employees may take FMLA leave intermittently when medically necessary to care for a
39 seriously ill family member, or because of the employee’s own serious health condition, or for the care
40 for a newborn, a newly adopted child, or a newly placed foster care child. When an ~~licensed~~ employee
41 requests foreseeable leave for planned medical treatment and the employee would be on leave for greater
42 than twenty percent (20%) of the total number of working days in the period during which the leave
43 would extend, the school may require that such employee elect either to take the leave for periods of a

1 particular duration, not to exceed the duration of the planned medical treatment, or to transfer temporarily
2 to an available alternative position offered by the school system for which the employee is qualified, and
3 that has equivalent pay and benefits and better accommodates recurring periods of leave.

4 **RESTRICTIONS**

5 1. Notice Requirements

6 a. *Employee Notice*¹² – For foreseeable leave, the employee shall provide the director of
7 schools with at least thirty (30) days written notice before the beginning of the anticipated
8 leave.

9 b. *District Notice* – Once it has been established that the leave requested qualifies for
10 FMLA, the director of schools/designee shall notify the employee within three (3)
11 business days (absent extenuating circumstances) that any leave taken pursuant to state
12 leave statutes (paid vacation leave, personal leave, sick leave, or workers' compensation)
13 shall run concurrently with FMLA leave.¹³ The notice may be given orally or in writing.
14 If the notice is oral, it shall be confirmed in writing, no later than the following pay day.¹⁴
15 ¹³

16 2. Certification Requirement¹⁵

17 a. The director of schools may require that a request for leave be supported by certification
18 issued by a health care provider with the following information:

- 19 i. the date on which the serious health condition commenced;
- 20 ii. the probable duration of the condition;
- 21 iii. the appropriate medical facts within the knowledge of the health care provider
22 regarding the condition; and
- 23 iv. a statement that the eligible employee is needed to care for the son, daughter,
24 spouse, or parent and an estimate of the amount of time that such employee is
25 needed.

26 b. If there is any reason to doubt the validity of the certification provided, the director of
27 schools may require, at the expense of the school system, an opinion of a second health
28 care provider.

29 3. Period Near the End of an Academic Term (Professional Employees)¹⁶

30 a. If leave is taken more than five (5) weeks prior to the end of the term, the director of
31 schools may require the employee to continue taking leave until the end of the term if the
32 leave is at least three (3) weeks of duration and the return of employment would occur
33 during the three (3) week period before the end of the term.

34 b. If the leave is taken five (5) weeks prior to the end of the term, the director of schools
35 may require the employee to continue taking leave until the end of the term if the leave
36 is greater than two (2) weeks duration and the return to employment would occur during
37 the two (2) week period before the end of the term.

38 **REQUIREMENTS OF THE BOARD**¹⁷

39 1. The employee shall be restored to the same position of employment or an equivalent position
40 with no loss of benefits, pay, or other terms of employment.

41
42 2. The employee shall be kept under any group health plan for the duration of the leave.
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3. The board may recover the premium paid under the following conditions:

- a. The employee fails to return from leave after the period of leave has expired.
- b. The employee fails to return to work for a reason other than the continuation, recurrence, or onset of a serious health condition or other circumstances beyond the control of the employee.

Legal References:

1. *Hinson v. Tecumseh Products Co.*, 2000 U.S. App. LEXIS 26778, at *1-10 (6th Cir. Oct. 17, 2000)
2. 29 U.S.C.A. § 2601, 2611-2619
3. TCA 49-5-702; TCA 4-21-408
4. TCA 49-5-710(a)(2); TCA 8-50-802(a)(4)
5. 29 CFR § 825.120(a)(3)
6. Public Acts of 2025, Chapter No. 163
7. **TCA 8-50-814; Public Acts of 2025, Chapter No. 235**
8. 29 CFR § 825.113
9. 29 CFR § 825.126
10. 29 CFR § 825.124; 29 CFR § 825.127
11. 29 CFR § 825.202
12. 29 CFR § 825.302-825.304
13. 29 CFR § 825.207
14. OP Tenn. Atty Gen 94-006 (Jan 13, 1994); *Plant v. Morton International, Inc.*, 212 F. 3d 929, 932 (6th Cir. 2000)
15. 29 CFR § 825.305-825.313
16. 29 CFR § 825.602
17. 29 U.S.C.A. § 2614

Cross References:

- Sick Leave 5.302
Long Term Leaves of Absence 5.304

Marshall County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Substitute Teachers	Descriptor Code: 5.701	Issued Date: 07/14/25
		Rescinds: 5.701	Issued: 08/12/24

1 Substitute teachers are those teachers used to replace teachers on leave or to fill temporary vacancies
2 until a licensed teacher is available.^{1,2} 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.²

7 **APPLICATION/QUALIFICATIONS**

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

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

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, 2016.⁵

22 **CERTIFICATION**

23 When substituting for a regular teacher who has been absent for ~~twenty (20)~~ **thirty (30)** consecutive days,
24 a 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.⁶ When substituting for a teacher
26 without sick leave, the substitute shall be certified and paid according to the state salary schedule.¹

27

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 law⁷.

11 **RESPONSIBILITIES**

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

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

17 **RE-EMPLOYMENT/TERMINATION**

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

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

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)
Public Acts of 2025, Chapter No. 235
7. **TCA 49-2-203(a)(14)(A)**; TCA 49-6-805(7)

Cross References:

- Background Investigations 5.118
Employment of Retirees 5.119

Marshall County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Attendance	Descriptor Code: 6.200	Issued Date: 07/14/25
		Rescinds: 6.200	Issued: 10/21/24

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

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

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

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

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

17 ABSENCES

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

20 Excused absences shall include:⁴

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

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

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

1 note should include the reason(s) for and the date(s) of the absence. Upon returning to school, a
2 student has three (3) school days in which to submit a note. After three (3) days, the absence(s)
3 will become permanently unexcused.

4 2. Driver's license (documentation is required).

5 3. Deaths

6 A. In the family – One (1) day will be excused. Additional days will be excused at the discretion
7 of the principal (program or death notice is required upon return to school)

8 B. Of others – The principal may excuse absences with appropriate documentation.

9 4. Religious Holidays/Retreats⁵ – Religious holidays will be excused with proper documentation
10 from the parent. Religious retreats must be pre-authorized by the principal with documentation
11 from religious church/agency sponsoring the retreat.

12 5. Appearance in court (documentation from a court official will be required as documentation).

13 6. Pregnancy.

14 7. Extreme weather conditions.

15 8. School-endorsed activities.

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

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

20 The principal shall be responsible for ensuring that:⁶

21 1. Attendance is checked and reported daily for each class;

22 2. Daily absentee sheets contain sign in/sign out sheets and indicate students present or absent for
23 the majority of the day;

24 3. All student absences are verified;

25 4. Written excuses are submitted for absences and tardiness; and

26 5. System-wide procedures for accounting and reporting are followed.

27 **NON-SCHOOL SPONSORED EXTRACURRICULAR ACTIVITY⁹**

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

34 1. Student's name and personal identification number;

35 2. Student's grade;

36 3. The dates of the student's absence;

37 4. The reason for the student's absence; and

38 5. The signatures of the student and parent/guardian.

39

40

1 **RELEASED TIME COURSE¹⁰**

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

5 **Students shall only be permitted to attend courses provided by entities that certify in writing that they
6 have complied with the background check requirements outlined in state law.¹¹ The student shall
7 submit a written consent form signed by the student's parent/guardian prior to participation in the
8 released time course. The principal/designee shall document the approval in writing. The student shall
9 provide documentation to the principal/designee as proof of the student's participation in the released
10 time course.**

11 ~~The student shall submit a written consent form signed by the student's parent/guardian prior to
12 participation in the released time course. The principal/designee shall document the approval in writing.
13 The student shall provide documentation to the principal/designee as proof of the student's participation
14 in the released time course.~~

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

16 Upon submission of the student's transcript from the entity that provided the released time course, the
17 student may be awarded one (1) unit of elective credit.

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

20 **TRUANCY**

21 *General*

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

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

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

36 *Progressive Truancy Plan⁸*

1 Tier I

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

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

9 Tier II

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

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

19 Tier III

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

26 STATE-MANDATED ASSESSMENT

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

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

33 DRIVER'S LICENSE REVOCATION²

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

1 **CREDIT/PROMOTION DENIAL**

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

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

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

9 The principal shall be responsible for ensuring that:⁷

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

20 **TARDIES, EARLY DISMISSALS AND DETENTION**

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

26 **ELEMENTARY TARDY* POLICY**

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

28 After five (5) unexcused tardies, parents will receive written notice from school as a warning that further
29 unexcused tardies will result in a summons to the Marshall County Schools Tardy Review Board. After
30 a student reaches eight (8) unexcused tardies, parents will be summoned to appear before the Tardy
31 Review Board. After a subsequent unexcused tardy, parents may be charged with Educational Neglect
32 in the Marshall County Juvenile Court.

33 Please note: Elementary students receive three parent notes per semester. Parent notes can be used for
34 unexcused tardies.

35

1 RULES AND PENALTIES

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

30 ATTENDANCE HEARING¹²

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

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

- 1 Within five (5) school 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 The Director of Schools/designee shall ensure that this policy is posted in each school building and
- 6 disseminated to all students, parents, teachers, and administrative staff.

- 7

Legal References:

1. TCA 49-6-3006
2. TCA 49-6-3017(c); ~~Public Acts of 2022, Chapter No. 878~~
3. 20 USCA § 1232g
4. TRR/MS 0520-01-02-.17(5); State Board of Education Policy 4.100
5. TCA 49-6-2904(b)(5)
6. TCA 49-6-3007
7. TCA 49-6-3021
8. TCA 49-6-3007; TCA 49-6-3009
9. TCA 49-6-3022
10. TCA 49-2-130
11. **Public Acts of 2025, Chapter No. 401**
12. TCA 49-2-203(b)(7); TCA 49-6-3002(b)
13. TRR/MS 0520-01-02-.17(7)

Cross References

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

Marshall County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Interrogations and Searches	Descriptor Code: 6.303	Issued Date: 07/14/25
		Rescinds: 6.303	Issued: 01/11/21

1 INTERROGATIONS BY SCHOOL PERSONNEL

2 School personnel have a duty to report any reasonable suspicion that a student is carrying, or has carried,
3 a weapon or is violating, or has violated, a provision of the Tennessee Drug Control Act to the principal,
4 the principal's designee or, if the principal and the principal's designee are unavailable and the offense
5 was committed on school property, to the appropriate authorities.¹

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

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

14 INTERROGATIONS BY POLICE (AT ADMINISTRATOR'S REQUEST)

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

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

22 POLICE-INITIATED INTERROGATIONS

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

30

1 SEARCHES BY SCHOOL PERSONNEL

2 Any principal, or his/her designee, having reasonable suspicion may search any student, place or thing
3 on school property or in the actual or constructive possession of any student during any organized school
4 activity off campus, including buses, vehicles of students or visitors (*Notice shall be posted in the school*
5 *parking lot that vehicles parked on school property by students or visitors are subject to search for*
6 *drugs, drug paraphernalia or dangerous weapons*), and containers or packages if he/she receives
7 information which would cause a reasonable belief that the search will lead to the discovery of:

- 8 1. Evidence of any violation of the law;
- 9 2. Evidence of any violation of school rules or regulations or proper standards of student or faculty
10 conduct;
- 11 3. Any object or substance which, because of its presence, presents an immediate danger of harm
12 or illness to any person.

13 A student using a locker that is the property of the school system does not have the right of privacy in
14 that locker or its contents. All lockers or other storage areas provided for student use on school premises
15 remain the property of the school system and are provided for the use of students subject to inspection,
16 access for maintenance and search. *Notice shall be posted in each school that lockers and other storage*
17 *areas are school property and are subject to search.*

18 A student may be subject to physical search or a student's pocket, purse or other container may be
19 required to be emptied because of the results of a locker search, or because of information received from
20 a teacher, staff member or other student if such action is reasonable to the principal. All of the following
21 standards of reasonableness shall be met:

22 **The school principal shall authorize all searches at the outset per state law.² All principal initiated**
23 **searches shall be conducted by a school security officer or a school administrator who has completed the**
24 **state required training.³ The following conditions shall apply to principal initiated searches:**

- 25 **1. All the following standards of reasonableness must be met:**
 - 26 a) A particular student has violated policy;
 - 27 b) The search could be expected to yield evidence of the violation of school policy or disclosure of
28 a dangerous weapon or drug;
 - 29 c) The search is in pursuit of legitimate interests of the school in maintaining order, discipline,
30 safety, supervision and education of students;
 - 31 d) The primary purpose of the search is not to collect evidence for a criminal prosecution; and
 - 32 e) The search shall be reasonably related to the objectives of the search and not excessively intrusive
33 in light of the age and sex of the student, as well as the nature of the infraction alleged to have
34 been committed.⁴
- 35 **2. A school administrator shall be on-site at any principal-initiated search;**
- 36 **3. A school administrator shall oversee the search and may end the search at any time; and**
- 37 **4. If a student is under the age of eighteen (18), the principal must notify the student's parent or**
38 **guardian within a reasonable time of the search³**

39

1 If a school resource officer searches a student, based on having probable cause, the principal shall notify
2 the Director of Schools/designee.⁵

3 School officials may conduct hand-held or walk-through metal detector checks of a student's person or
4 personal effects.

5 In order to ensure a safe and secure learning environment, the Director of Schools shall develop
6 procedures regarding the searching of students, lockers, vehicles, and containers which are consistent
7 with state law. The Director of Schools shall develop additional procedures to ensure compliance with
8 all of the provisions of the School Security Act of 1981.⁶

9 USE OF ANIMALS

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

13 USE OF METAL DETECTORS

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

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

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

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

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

26 SEARCHES BY POLICE

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

30 If the principal has received reliable information which he/she believes to be true that evidence of a
31 crime or of stolen goods, not involving school property of members of the school staff or student body,
32 is located on school property and that any search for such evidence or goods would be unrelated to school
33 discipline or to the health and safety of a student or the student body, he/she shall request police
34 assistance; and procedures to obtain and execute a search warrant shall thereafter be followed.

1 Anything found in the course of the search conducted in accordance with this policy which is evidence of
2 a violation of the law or a violation of student conduct standards may be:

3 1. Seized and admitted as evidence in any hearing, trial, suspension or dismissal proceeding. It
4 should be tagged for identification at the time it is seized and kept in a secure place by the
5 principal or the principal's designee until it is presented at the hearing. At the discretion of the
6 principal, the items seized may be returned to the parent or guardian of a student or, if it has no
7 significant value, the item may be destroyed, but only with the express written permission of the
8 director of schools.

9 2. Any seized item may be turned over to any law enforcement officer. Any dangerous weapon or
10 drug as defined in TCA 49-6-4202 shall be turned over to an appropriate law enforcement official
11 after completion of an administrative proceeding at which its presence is reasonably required.

12 Whenever the possibility of uncovering evidence of a criminal nature exists, the principal or his/her
13 designee may request the assistance of a law enforcement officer to:

14 1. Search any area of the school premises, any student or any motor vehicle on the school premises;
15 or

16 2. Identify or dispose of anything found in the course of a search conducted in accordance with this
17 policy.

18 The involvement of law enforcement officials is encouraged when there is reasonable cause to suspect
19 that criminal evidence is about to be uncovered.

20

Legal Reference:

1. TCA 49-6-420-(b)
2. TCA 49-6-4204(a); TCA 49-6-4205(a)
3. Public Acts of 2025, Chapter No. 244
4. TCA 49-6-4205(b)
5. State v. R.D.S., No. M200801724COAR3JV, 2009 WL 2136324, at*1 (Tenn. Ct. App. July 16, 2009)
6. TCA 49-6-4201; Tenn. Op. Att'y Gen. No. 14-21 (February 24, 2014)

Cross Reference:

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

Marshall County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Use of Personal Communication Devices by Students	Descriptor Code: 6.312	Issued Date: 06/09/14
		Rescinds: 6.312	Issued: 08/12/13

1 Students may possess cell phones on school property so long as such devices are turned off and stored
2 in backpacks, purses, or personal carry-alls during class time and programs. Such devices include, but
3 are not limited to, wearable technology such as eye glasses, rings, or watches that have the capability to
4 record, live stream, or interact with wireless technology; cell phones; laptops; tablets; and mp3 players.
5 However, a teacher may grant permission for the use of cell phones to assist with instruction in his/her
6 classroom, and teachers are encouraged to integrate the devices into their course work; however, all
7 approved devices must allow access to the Internet through a fully functional web browser and be capable
8 of accessing the Marshall County School System's (MCSS) guest network. The principal or his/her
9 designee may also grant a student permission to use such a device at his/her discretion.

10 The Marshall County School System/Marshall County Board of Education will not be responsible for
11 damaged, lost, or stolen cell phones.

12 **INTERNET**

13 All Internet access shall occur using the MCSS guest network. Cellular network adapters are not
14 permitted to be used by students to access the Internet at any time. The device may only be used to access
15 files or internet sites which are relevant to the classroom curriculum. Non-instructional games are not
16 permitted. Students must comply with a teacher's request to turn off the device. Unauthorized use or
17 improper storage of a device during class time or programs will result in confiscation until such time as
18 it may be released to the student's parents or guardian. A student in violation of this policy is subject to
19 disciplinary action as per board policy #6.316 Suspension/Expulsion/Remand.

20

21

22

Cross Reference:

Suspension/Expulsion/Remand 6.316

Marshall County Board of Education

Monitoring: Review: Annually, in May	Descriptor Term: Student Wellness	Descriptor Code: 6.411	Issued Date: 07/14/25
		Rescinds: 6.411	Issued: 01/13/20

1 ~~The Board recognizes the link between nutrition, physical activity and learning. In order to implement~~
2 ~~overall wellness for students, the plan below shall be followed by all schools and the district.⁴~~

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

7 **COMMITMENT TO COORDINATED SCHOOL HEALTH**

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

13 **SCHOOL HEALTH ADVISORY COUNCIL^{2,3}**

14 An advisory council shall be established to serve as a resource to school sites for implementing policies.
15 The council shall consist of individuals representing the school and community, including but not limited
16 to, staff, students, teachers, school administrators, parents, civic organizations, community organizations
17 and agencies, and others concerned with the health and wellness of students with at least two-thirds of
18 the members being non-school personnel.² The primary responsibilities of the council include but are
19 not limited to:

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

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

1 Additionally, each school will have a Healthy School Team consisting of teachers, students, parents,
2 **community members**, and administrators.² The Team shall hold Healthy School Team meetings during
3 the school year to assess needs and oversee planning and implementation of school health efforts. **The**
4 **Director of Schools/designee will ensure compliance with the school wellness policy, to include an**
5 **assessment of the implementation of the wellness policy and the progress made in attaining the policy**
6 **goals. The assessment will be made available to the public.**

7 **COMMITMENT TO NUTRITION**

8 All schools within the District shall participate in the USDA child nutrition program, including the
9 National School Lunch Program, the School Breakfast Program, the Summer Food Service Program,
10 and the After-School Snack Program.^{4,5,6} The school nutrition coordinator shall be responsible for
11 overseeing the school district's compliance with the State Board of Education Rules and Regulations for
12 sale of food items in the school district.^{5,6}

13 Meals shall be accessible to all students in a non-stigmatizing manner. Students will be given adequate
14 time to enjoy healthy meals and relax in a pleasant environment. Good nutritional habits shall be
15 encouraged. All foods **and beverages** including vending machines, fundraising items, and concessions
16 must meet guidelines set forth by the Healthy, Hunger-free Kids Act 2010 and Smart Snacks in
17 Schools.^{4,5,6} The school principal/designee shall be responsible for overseeing the school district's
18 compliance with the State Board of Education Rules and Regulations for sale of food items in the school
19 district.^{2,5,6}

20 *Fundraising*

21 **Food-and beverages sold that can be consumed on campus during the school day must meet or exceed**
22 **the USDA Smart Snacks guidelines in school nutrition standards. Schools shall follow the limit on days**
23 **per semester in which non-healthy foods may be used for fundraisers.⁵**

24 **DISTRICT GOALS**

25 **The school district will promote healthy nutrition through various activities, including nutrition related**
26 **newsletters, informational links on the school district website, healthy eating posters and bulletin**
27 **boards in dining areas, and informational booths at various community functions. Nutrition education**
28 **will be offered as part of a standards based program designed to provide students with the**
29 **knowledge and skills needed to promote and protect their health as outlined in the State Board of**
30 **Education Health Education and Lifetime Wellness Standards. Nutrition education will discourage**
31 **teachers from using high fat, sugar, and sodium foods as rewards and encourage students to start each**
32 **day with a healthy breakfast. If a district engages in food or beverage marketing, all marketing shall**
33 **comply with the Smart Snacks in School nutrition standards.⁷**

34 **EVALUATION OF EFFECITVENESS OF NUTRITION PROGRAM**

35 The Board shall monitor the effectiveness of the school nutrition program within a wide-range of student
36 constituency groups. Factors to be considered shall include, but are not limited to:

37 1. Participation rates in school meal programs;

- 1 2. Student satisfaction surveys to monitor the effects of consumption of healthy snacks on children's
- 2 health, behavior, and school performance and to monitor satisfaction with snack choices;
- 3 3. Parent satisfaction surveys to monitor the effects of consumption of healthy snacks on children's
- 4 health, behavior, and school performance and to monitor satisfaction with snack choices;
- 5 4. Test scores⁴; and
- 6 5. Teacher surveys of students' classroom behavior, attention span, and memory.

7 **COMMITMENT TO PHYSICAL ACTIVITY AND PHYSICAL EDUCATION⁸**

8 The Board recognizes physical activity is extremely important to the overall health of a child. Schools
9 shall support and promote physical activity. Physical activity may be integrated into any areas of the
10 school program. Physical Education classes shall be offered **as part of a standards based program**
11 **designed to provide developmentally appropriate** with moderate to vigorous physical activity being an
12 integral part of the class. **All physical education classes shall comply with the State Board of Education's**
13 **Physical Education Standards.** Students shall be encouraged by staff whenever possible to be physically
14 active. ~~In addition to the district's physical education program, non-structured physical activity periods~~
15 ~~shall be offered in grades K-6. Non-structured physical activity will consist of a temporary withdrawal~~
16 ~~or cessation from usual school work or sedentary activities.⁷~~

17 ~~The following opportunities for physical activity shall be provided:⁷~~

- 18 1. ~~Elementary school students—a minimum of 130 minutes of physical activity each full school~~
19 ~~week. Elementary schools must offer at least one period of physical activity that is at least 15~~
20 ~~minutes each day.~~
- 21 2. ~~Middle and high schools—a minimum of 90 minutes of physical activity each full school week.~~

22 **Unstructured physical activity periods shall be offered in addition to the school district's physical**
23 **education program. Elementary school students shall receive a minimum of forty (40) minutes of**
24 **physical activity each full school day. Middle and high school students shall receive a minimum of**
25 **ninety (90) minutes of physical activity each full school week.**

26 **Physical activity will be conducted outside if weather permits. The following activities shall not be**
27 **considered physical activity: walking to and from class, time spent on an electronic device, and time**
28 **spent in a physical education class.**

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

31 **COMMITMENT TO CURRICULUM³**

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

33 **SCHOOL HEALTH INDEX³**

34 All schools within the district shall annually administer a baseline assessment on each of the
35 recommended School Health Index modules. Results shall be submitted to the School Health Advisory
36 Council and reported to the State Department of Education.

1 **RECORD KEEPING COMPLIANCE**

2 The district's Coordinated School Health Coordinator shall ensure that records demonstrating
3 compliance with community involvement requirements are maintained. The Coordinated School Health
4 Coordinator shall additionally document that the school wellness policy and triennial assessments are
5 made available to the public.⁹

Legal References:

1. TCA 49-6-1022
2. State Board of Education Policy 4.204
3. State Board of Education Policy 4.206
4. 42 U.S.C. 1758b (~~Section 204 of the Healthy, Hunger-Free Kids Act of 2010 (Public Law 111-296)~~
[TRR/MS 0520-01-06-.04](#))
5. ~~TRR/MS 0520-1-6, Child Nutrition Programs~~
6. 7 C.F.R. 210 and 220
7. ~~Public Acts of 2016, Chapter No. 669~~ C.F.R. §
~~210.31(f)(c)(3)(iii)~~
8. [TCA 49-6-1021](#); [Public Acts of 2025, Chapter No. 306](#)
9. [7 CFR 210.31\(f\)](#)

Cross References:

[Student Suicide Prevention 6.415](#)

Marshall County Board of Education

Monitoring: Review: Annually, in May	Descriptor Term: Student Records	Descriptor Code: 6.600	Issued Date: 07/14/25
		Rescinds: JR	Issued: 02/13/17

1 A cumulative record shall be kept for each student enrolled in school. The folder shall contain a health
2 record, attendance record, and scholarship record; shall be kept current; and shall accompany the student
3 through his/her school career.¹

4 The name used on the record of the student entering the school system must be the same as that shown
5 on the birth certificate, unless evidence is presented that such name has been legally changed. If the
6 parent does not have, or cannot obtain a birth certificate, then the name used on the records of such
7 student will be as shown on documents which are acceptable to the system as proof of date of birth.

8 The name used on the records of a student entering the system from another school must be the same as
9 that shown on records from the school previously attended unless evidence is presented that such name
10 has been legally changed as prescribed by law.

11 ~~When a student transfers and his/her records are requested from another school in the system, the school~~
12 ~~shall send the original records, including the student's disciplinary records, to the transfer school.³~~

13 ~~When a student transfers and his/her records are requested from a school outside of the county, the school~~
14 ~~shall keep the original records and send copies, including the student's disciplinary records, to the~~
15 ~~transfer school.³~~

16 **When a student transfers to another school within the district or to a school outside of the school district,**
17 **copies of the student's records, including the student's disciplinary records, shall be sent to the transfer**
18 **school within five (5) business days of the date on which the student's records request was received by**
19 **the school.²**

20 Attendance records kept on each student become permanent property of the school system.

21 ACCESS TO STUDENT RECORDS

22 All records shall be remitted in accordance with the Family Education Rights and Privacy Act (FERPA).
23 Student records shall be confidential. Only authorized school officials may have access to student
24 information for legitimate educational purposes without the consent of the student or parent/guardian.⁴
25 A "legitimate educational interest" is the official's need to know information in order to:

- 26 1. Perform required administrative tasks;
- 27 2. Perform a supervisory or instructional task directly related to the student's education; and
- 28 3. Perform a service or benefit for the student or the student's family such as health care, counseling,
29 student job placement, or student financial aid.

- 1 Authorized school officials may release information from or permit access to a student's education
2 record without the parent(s) or eligible students* prior written consent in the following instances:
- 3 1. To comply with a judicial order or lawfully issued subpoena. The school system will make a
4 reasonable effort to notify the student's parent(s) or the eligible student before making a
5 disclosure;
 - 6 2. If the disclosure is an item of directory information;⁶
 - 7 3. To comply with the requirements of child abuse reports to the extent known by the school
8 officials including the name, address, and age of the child; the name and address of the person
9 responsible for the care of the child, and the facts requiring the report;⁷
 - 10 4. When certain federal and state officials need information in order to audit or enforce legal
11 conditions related to federally-supported education programs in the school system;⁸
 - 12 5. When the school system has entered into a contract or written agreement for an organization to
13 conduct scientific research on the system's behalf to develop tests or improve instruction,
14 provided that the studies are conducted in a manner which will not permit the personal
15 identification of students and their parents by individuals other than representatives of the
16 organization and the information will be destroyed when no longer needed for the purpose for
17 which the study was conducted;⁹
 - 18 6. To appropriate officials if the parent(s) claim the student as a dependent as defined by the Internal
19 Revenue Code;¹⁰
 - 20 7. To accrediting organizations to carry out their accrediting functions;¹¹
 - 21 8. **To officials of another school, school system, or postsecondary institution** when a student seeks
22 or intends to enroll in another school district or a post-secondary school. Parent(s)/**guardian(s)** of
23 the **student shall be notified of the transfer and shall have the right to obtain copies of the record**
24 **transferred as well as an opportunity to challenge the content of the record.** ~~students or eligible~~
25 ~~students have a right to obtain copies of records transferred under this provision;~~¹²
 - 26 9. To financial institutions or government agencies that provide or may provide financial aid to a
27 student in order to establish eligibility, to determine the amount of financial aid, to establish
28 conditions for the receipt of financial aid, and to enforce financial aid agreements;¹³
 - 29 ~~To make the needed disclosure in a health or safety emergency when warranted by the~~
30 ~~seriousness of the threat to the student or other persons, when the information is necessary and~~
31 ~~needed to meet the emergency, when time is an important and limiting factor, and when the~~
32 ~~persons to whom the information is to be disclosed are qualified and in a position to deal with~~
33 ~~the emergency;~~ **To the appropriate officials in connection with a health or safety emergency if**
34 **knowledge of the information is necessary to protect the health or safety of the student or others;**¹⁴
 - 35 11. To the Attorney General or his designee for official purposes related to the investigation or
36 prosecution of an act of domestic or international terrorism. An educational agency that, in good
37 faith, produces education records in accordance with an order issued under this Act shall not be
38 liable to any person for that production;¹⁵
 - 39 12. To any agency caseworker or other representative of a state or local child welfare agency or tribal
40 organization authorized to access the student's educational records when such agencies or
41 organizations are legally responsible for the care and protection of the student.¹⁶
 - 42 13. **To the Secretary of Agriculture/designee for purposes of conducting program monitoring,**
43 **evaluations, and performance measurements, provided that the data collected will be protected**
44 **in a manner which will not permit the disclosure of personal identification of students and their**
45 **parents(s)/guardian(s) by individuals other than to representatives of the organization, and that**

1 the information will be destroyed when no longer needed for the purpose for which it was
2 conducted;¹⁷ and

3 14. To state and local authorities to whom information is specifically allowed to be reported or
4 disclosed by state law that concerns the juvenile justice system and the system's ability to
5 effectively serve, prior to adjudication, the student whose records were released.¹⁸

6 Consent to Disclose Records¹⁹

7 Authorized school officials may release information from a student's education record if the student's
8 parent(s) or the eligible student gives written consent for the disclosure. The written consent must
9 include:

- 10 1. A specification of the records to be released;
- 11 2. The reasons for the disclosure;
- 12 3. The person, organization, or class of persons or organizations to whom the disclosure is to be
13 made;
- 14 4. The signature of the parent(s) or eligible student;
- 15 5. The date of the consent and, if appropriate, a date when the consent is to be terminated. The
16 student's parent(s) or the eligible student* may obtain a copy of any records disclosed under this
17 provision.

18 RECORDKEEPING

19 The school ~~district system~~ will maintain an accurate record of all requests to disclose information from
20 or to permit access to a student's education records. **The school district will maintain an accurate record
21 of information it discloses and access it permits.** The ~~district system~~ will maintain this record as long as
22 it maintains the student's education record.²⁰

23 The record will include at least:²⁰

- 24 1. The name of the person or agency that makes the request;
- 25 2. The interest the person or agency has in the information;
- 26 3. The date the person or agency makes the request; and
- 27 4. Whether the request is granted and, if it is, the date access is permitted or the disclosure is made.

28 **The student becomes an "eligible student" when he/she reaches age 18 or enrolls in a post-secondary
29 school, at which time all of the above rights become the student's right.*²¹

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Legal References:

1. 20 USCS § 1232g
2. TCA 49-6-3001(c)(1); Public Acts of 2025, Chapter No. 156
3. TCA 49-1-701; 20 USCA § 1232g
4. TCA 10-7-504(a)(4); 20 USCA § 1232g
5. 20 USCA § 1232g(b)(2)(B); 20 USCA § 1232g(b)(1)(J)
6. 20 USCA § 1232g(b)(2); TCA 10-7-504(a)(4)(A)
7. TCA 37-1-403
8. 20 USCA § 1232g(b)(3), (5); USCA § 1232g(b)(1)(C)
9. 20 USCA § 1232g(b)(1)(F)
10. 20 USCA § 1232g(b)(1)(H)
11. 20 USCA § 1232g(b)(1)(G)
12. 20 USCA § 1232g(b)(1)(B)
13. 20 USCA § 1232g(b)(1)(D)
14. 20 USCA § 1232g(b)(1)(I)
15. 20 USCA § 1232g(j)
16. 20 USCA § 1232g(b)(1)(L)
17. 20 USCA § 1232g(b)(1)(K)
18. 20 USCA § 1232g(b)(1)(E)
19. 34 CFR § 99.30; 20 USCA § 1232(b)(2)(A)
20. 34 CFR § 99.32(a)
21. 34 CFR §§ 99.3, 99.5; TCA 49-1-704

Cross References:

School Board Records 1.407
Promotion and Retention 4.603
Testing Programs 4.700
Attendance 6.200
Withdrawals 6.207
Child Custody/Parental Access 6.209
Bus Safety and Conduct 6.308
Corporal Punishment 6.314
Disciplinary Hearing Authority 6.317
Admission of Suspended/Expelled Students 6.318
Acquired Immune Deficiency Syndrome 6.404
Reporting Child Abuse 6.409
Media Access to Students 6.604