

Special Called Meeting

July 20, 2026 7:30 PM

MCBOE

1. 1.403 Agenda

2. 1.404 Appeals To and Appearances Before the Board

3. 4.213 Family Life Education

4. 4.215 Instructional Use of Digital Devices

5. 5.106 Application and Employment

6. 5.200 Separation Practices for Tenured Teachers

7. 5.201 Separation Practices for Non-Tenured Teachers

8. 5.302 Sick Leave

9. 5.303 Personal and Professional Leave

10. 6.200 Attendance

11. 6.303 Interrogations and Searches

12. 6.306 Interference/Disruption of School Activities

13. 6.4053 Outside Applied Behavior Analysis Therapy

Marshall County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Agendas	Descriptor Code: 1.403	Issued Date: 07/20/26
		Rescinds: 1.403	Issued: 07/12/21

The Executive Committee of the Board shall be responsible for developing an agenda for each board meeting. Any board member may recommend items to be placed on the agenda for discussion. The particular order may vary from meeting to meeting in keeping with the business at hand.

The agenda (which shall include the consent agenda), ~~together with supporting materials~~, shall be given to board members at least ~~one (1)~~ seven (7) days prior to the scheduled date of the meeting. ~~The agenda shall be available for public inspection when it is distributed to the board members.~~ **The draft agenda shall be available for public inspection and/or distribution on the school district website when it is distributed to the board members. The final agenda, together with supporting materials, shall be published on the school district website no later than forty-eight (48) hours prior to the regular board meeting.**

At the beginning of each meeting the Board shall, by a majority vote, approve changes in the agenda for the meeting, which may involve the addition to or deletion of items previously included on the agenda. The Board, however, may not revise board policies or adopt new ones, unless such action has been scheduled.

Staff members or citizens of the district may suggest items for the agenda by presenting proposed items to the director of schools or the chairman of the Board.

For items to be considered on the agenda, they must be received in the director of schools' office at least seven (7) business days prior to the scheduled date of the meeting. The person(s) requesting an item on the agenda shall forward any background information to the director of schools' office so that the material will be included in the delivery to the board members prior to the meeting.

Citizens wishing to address the Board must follow guidelines set forth in policy *Appeals to and Appearances Before the Board* (1.404)

CONSENT AGENDA

While developing the agenda, the chair and director of schools shall identify routine or non-controversial items to be placed on the consent agenda, which shall become a part of the regular agenda. If any member objects to including an item on the consent agenda, that item shall be moved to the regular agenda as an action item requiring discussion. The remaining consent items may be adopted in a single vote without discussion.

Legal References:

1. Public Acts of 2026, Chapter No. 699

Cross References:

Duties of Officers 1.201

Executive Committee 1.301

Appearances Before the Board 1.404

Click here to choose a school board.

Monitoring: Review: Annually, in July	Descriptor Term: Agendas	Descriptor Code: 1.403	Issued Date:
		Rescinds:	Issued:

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TIMED AGENDA

The executive committee shall assign a sufficient amount of time for each item on the agenda.

ANNUAL AGENDA

At the beginning of each fiscal year, the Board shall adopt an annual planning calendar, stating month-by-month actions required by law and those required to carry out the Board's annual goals. In addition,

- 1 the annual agenda shall designate dates to review designated sections of the board policy manual and
- 2 to evaluate progress of programs for student achievement.

Legal References

1. [Public Acts of 2026, Chapter No. 699](#)

Cross References

- Duties of Officers 1.201
Executive Committee 1.301
Appearances Before the Board 1.404

Marshall County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Agendas	Descriptor Code: 1.403	Issued Date: 07/12/21
		Rescinds: 1.403	Issued: 11/09/20

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Marshall County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Appeals to and Appearances Before the Board	Descriptor Code: 1.404	Issued Date: 07/13/26
		Rescinds: 1.404	Issued: 07/10/23

1 APPEALS TO THE BOARD

2 Any matter relating to the operation of the school system may be appealed to the Board. However, the
3 Board desires that all matters be settled at the lowest level of responsibility and will not hear complaints
4 or concerns which have not advanced through the proper administrative procedure from the point of
5 origin.

6 If all administrative channels have been pursued and there is still a desire to appeal to the Board, the
7 matter shall be referred in writing and the Board shall determine whether to hear the appeal.

8 APPEARING BEFORE THE BOARD

9 The executive committee may place individuals on the agenda. Other individuals desiring to appear
10 before the Board must submit a written request with descriptive materials to the office of the director of
11 schools seven (7) business days before the meeting. If the request is approved by the Executive
12 Committee, the item will be placed on the agenda. Individuals placed on the agenda will be recognized
13 at the meeting and given three (3) minutes to speak. The public may address the board about any concerns
14 except personnel matters, which are the responsibility of the director of schools. **The Chair shall have**
15 **the authority to terminate the remarks of any individual who violates state law or does not adhere to**
16 **board rules.¹**

17 The Board may, at its discretion, waive the seven day rule in case of a situation which makes such notice
18 impractical or impossible.

19 Delegations must select only one individual to speak on their behalf unless otherwise determined by the
20 Board.

21 Guidelines for individuals who address the Board:

- 22 1. Those requesting to speak to the Board must have documented evidence that they have followed
23 the chain of command in addressing this issue.
 - 24 2. Each person speaking shall state his/her name, address, and subject of remarks.
 - 25 3. Individuals speaking to the Board will address their remarks to the chair.
 - 26 4. Individuals may address the Board only on items that the Board can take action on.
 - 27 5. No response is necessary by the Board or any board member.
 - 28 6. If appropriate, the Board or the director of schools will respond at a later date.
 - 29 7. Time is not transferable to another individual.
-

8. Name calling, personal attacks, profanity, threats, verbal abuse, or disruption of the orderly meeting process will result in the individual or group being asked to leave the meeting.

Individuals desiring additional information about any item on the agenda shall direct such inquiries to the office of the director of schools.

Public Comment Period ²

There shall be a public comment period for each meeting with actionable items on the agenda, with the exception of teacher disciplinary hearings. Comments shall be limited to topics listed on the agenda **and matters that are germane to the school board's jurisdiction**. The total public comment period shall be for no more than ten (10) minutes. If an individual wishes to address the Board during the public comment period, he/she must contact the director the Wednesday prior to the school board meeting. If Wednesday is a holiday, then sign-ups will be Thursday prior to the meeting. Each speaker shall be given no more than two (2) minutes. Delegations shall select only one (1) individual to speak on their behalf unless otherwise determined by the Board.

Legal References:

1. TCA 39-17-306
2. **TCA 8-44-112; Public Acts of 2026, Chapter No. 620**

Cross References:

School Board Meetings 1.400
Public Hearings 1.401
Agendas 1.403
Discrimination/Harassment of Employees 5.500
Complaints and Grievances 5.501
Student Discrimination, Harassment, Bullying, Cyber-bullying, and Intimidation 6.304
Student Concerns 6.305

Click here to choose a school board.

Monitoring: Review: Annually, in July	Descriptor Term: Appeals to and Appearances Before the Board	Descriptor Code: 1.404	Issued Date:
		Rescinds:	Issued:

APPEALS TO THE BOARD

Any matter relating to the operation of the school system may be appealed to the Board. However, the parties shall attempt to settle all matters at the lowest level of responsibility, and the Board shall not hear complaints or concerns which have not advanced through the proper administrative procedure. If all steps of the administrative procedure have been pursued and there is still a desire to appeal to the Board, the matter shall be referred in writing to the office of the Director of Schools, and the Board shall determine whether to hear the appeal.

APPEARING BEFORE THE BOARD

Individuals speaking to the Board shall address remarks to the Chair and may direct questions to individual board members or staff members only upon approval of the Chair. Each person speaking shall state his/her name and subject of presentation [insert local requirements, if applicable]. The Chair shall have the authority to terminate the remarks of any individual who violates state law or does not adhere to board rules.¹

*Public Comment Period*²

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Adding an Item to the Agenda (optional)

Individuals desiring to appear before the Board shall submit a written request with descriptive materials to the office of the Director of Schools [insert amount of time] before the meeting. If the request is approved by the executive committee, the item will be placed on the agenda. Individuals placed on the agenda will be recognized at the beginning of the meeting and given [insert amount of time] to speak when their item is addressed on the agenda. All requests submitted will be included in the board packet.

Legal References

1. [TCA 39-17-306](#)
2. [TCA 8-44-112; Public Acts of 2026, Chapter No. 620](#)

Cross References

School Board Meetings 1.400
Public Hearings 1.401
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Marshall County Board of Education

Monitoring: Review: Annually, in September	Descriptor Term: Appeals to and Appearances Before the Board	Descriptor Code: 1.404	Issued Date: 07/10/23
		Rescinds: 1.404	Issued: 10/08/12

APPEALS TO THE BOARD

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If all administrative channels have been pursued and there is still a desire to appeal to the Board, the matter shall be referred in writing and the Board shall determine whether to hear the appeal.

APPEARING BEFORE THE BOARD

The executive committee may place individuals on the agenda. Other individuals desiring to appear before the Board must submit a written request with descriptive materials to the office of the director of schools seven (7) business days before the meeting. If the request is approved by the Executive Committee, the item will be placed on the agenda. Individuals placed on the agenda will be recognized at the meeting and given three minutes to speak. The public may address the board about any concerns except personnel matters, which are the responsibility of the director of schools.

The Board may, at its discretion, waive the seven day rule in case of a situation which makes such notice impractical or impossible.

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8 prior to the school board meeting. If Wednesday is a holiday, then sign-ups will be Thursday prior to
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Legal References:

1. TCA 39-17-306
2. Public Acts of 2023, Chapter No. 300

Cross References:

School Board Meetings 1.400
Public Hearings 1.401
Agendas 1.403
Discrimination/Harassment of Employees 5.500
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Student Discrimination, Harassment, Bullying, Cyber-
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Marshall County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Family Life Education	Descriptor Code: 4.213	Issued Date: 07/20/26
		Rescinds:	Issued: 08/12/24

1 General

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

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

7 FAMILY LIFE INSTRUCTION

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

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

10. Include the presentation of a high-quality, computer-generated animated or high-definition ultrasound of at least three (3) minutes in duration that shows the development of the brain, heart, and other vital organs in early fetal development per state academics standards.³

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

The family life education program shall be reviewed annually to ensure that the prohibited items of instruction, as provided for in state law,⁵ are not included in the curriculum.

TRAINING ON INSTRUCTION

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

CHILD TRAFFICKING PREVENTION EDUCATION

Instruction on child trafficking prevention and awareness shall be provided for all students in grades K-12 in a manner that is age-appropriate, grade-appropriate, and advances each year through developmentally appropriate instruction and skill building.⁶

The Director of Schools/designee shall develop a plan to implement child trafficking prevention education into the district's health education instruction and present it to the Board for approval.

REPORTING²

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

Legal References:

1. TCA 49-6-1302;
2. TCA 49-6-1304; TCA 49-6-1601(g)(2)
3. TCA 49-6-1304(c)
4. TCA 49-6-1304(d)
5. TCA 49-6-1304(b)
6. Public Acts of 2026, Chapter No. 744

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Monitoring: Review: Annually, in November	Descriptor Term: Family Life Education	Descriptor Code: 4.213	Issued Date: Click here to enter a date.
		Rescinds:	Issued:

1 *General*

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

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

7 **FAMILY LIFE INSTRUCTION**

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

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- 11
- 12 2. Encourage sexual health by helping students understand how the whole person is affected by
- 13 sexual activity as well as other risk behaviors;
- 14
- 15 3. Provide information about human reproduction, including conception, birth, and prenatal care,
- 16 as well as the process of adoption and its benefits;
- 17
- 18 4. Provide information on the family unit and the responsibilities and consequences related to sexual
- 19 activity, including the challenges of single teen parenting;
- 20
- 21 5. Promote only sexual risk avoidance through abstinence and the positive results of avoiding sexual
- 22 activity;
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- 24 6. Provide instruction on the detection, intervention, prevention, and treatment of child sexual
- 25 abuse, including such abuse that may occur in the home, and internet crimes against children;
- 26
- 27 7. Provide instruction on the prevention of dating violence;
- 28
- 29 8. Encourage communication between parent(s)/guardian(s) and students;
- 30

9. Address the legal aspects of sexual activity with emphasis on the rights of the student; and

10. Include the presentation of a high-quality, computer-generated animation or high-definition ultrasound of a least three (3) minutes in duration that shows the development of the brain, heart, and other vital organs in early fetal development per state academic standards.³

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

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2. [TCA 49-6-1304\(a\)](#); [TCA 49-6-1601\(g\)\(2\)](#)
3. [TCA 49-6-1304\(c\)](#)
4. [TCA 49-6-1304\(d\)](#)
5. [TCA 49-6-1304\(b\)](#)
6. [Public Acts of 2026, Chapter No. 744](#)

Marshall County Board of Education

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

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



MARSHALL COUNTY

SCHOOL SYSTEM

INSPIRE ★ EMPOWER ★ SUCCEED

MARSHALL COUNTY SCHOOL DISTRICT

K-12 Child Trafficking Awareness & Prevention Instructional Implementation Plan

Effective Date: 2026–2027 School Year

Board Adoption Date: July 20, 2026

Public Post Location: <https://www.mcstn.net/>

Statutory Authority: Tennessee Code Annotated, Title 49 (Amended via Public Chapter / HB 1527)

I. Purpose and Overview

In accordance with Tennessee State Law HB 1527, the Marshall County School District has established this comprehensive implementation plan to provide mandatory child trafficking awareness and prevention education to all enrolled students across grades Kindergarten through 12th Grade (K-12). This instruction is designed to equip students with critical, age-appropriate skills to identify exploitation, recognize grooming tactics, practice digital safety, and master clear reporting procedures.

II. Methods of Instructional Delivery

Instruction is delivered through our standard, sequential physical education, health course rotations, and school guidance counselors. The material explicitly builds upon itself year-over-year using developmentally appropriate standards:

- **Elementary School (Grades K-6):** Delivered in educational sessions delivered by School Guidance Counselors.
- **Middle School (Grades 7-8):** Instruction will be delivered by Physical Education Teachers and/or School Guidance Counselors.
- **High School (Grades 9-12):** Embedded directly into the Lifetime Wellness graduation requirement course, instruction is through Lifetime Wellness Teachers.

III. Instructor Professional Qualifications

All personnel tasked with leading or facilitating child trafficking prevention modules must meet or exceed the following credential standards:

- **Primary Faculty:** Certified Tennessee Public School Teachers in Physical Education, Health and Wellness, or School Counseling/Social Work.
- **Mandatory Staff Training Compliance:** Separate from student modules, all certified and classified district staff complete mandatory child exploitation and trafficking awareness training annually to support their duties as statutory mandatory reporters.

IV. Approved Materials and Resources

To ensure alignment with the Tennessee State Board of Education Health Education Standards, the district utilizes evidence-based, medically objective resources. Primary and supplemental curriculum programs include:

- **Primary Core Curriculum:** *Too Good for Drugs Program for grades Kindergarten - 6, Botvin Life Skills for grades 7 - 12, Board Adopted Health Curriculum, and outside agencies such as the Marshall County Health Educator and Junior's House.*
- **Emergency & Reporting Resources:** Students across all grade levels are instructed on reporting to a trusted adult, teacher, counselor, and/or the Tennessee Human Trafficking Hotline (1-855-558-6484).

Marshall County Board of Education

Monitoring: Review: Annually, in November	Descriptor Term: Instructional Use of Digital Devices	Descriptor Code: 4.215	Issued Date: 07/20/26
		Rescinds:	Issued:

General¹

In-person, teacher led instruction shall be the primary mode of instruction for students in grades kindergarten through five (K-5).

Digital devices shall be utilized in these grades only when there is a clear educational benefit, including use for remediation purposes. Further, electronic assessments and instructional tools shall be developmentally appropriate and aligned with state academic standards.

The Director of Schools shall provide guidance to staff on appropriate use of technology for these grades. The Elementary Instructional Supervisor shall create a process for ensuring that digital instruction complies with this framework and state law.

SOCIAL MEDIA USE

Students in grades kindergarten through five (K-5) are prohibited from accessing social media platforms using district provided internet during the school day.

COMMUNICATION WITH PARENTS/GUARDIANS

At the beginning of each school year, the Director shall ensure that principals provide parent(s)/guardian(s) with information on digital device use in the classroom. This shall include the types of devices used and the instructional purposes for such use.

Legal References

1. [Public Acts of 2026, Chapter No. 808](#)

Cross References

Use of the Internet 4.406

Click here to choose a school board.

Monitoring: Review: Annually, in November	Descriptor Term: Instructional Use of Digital Devices	Descriptor Code: 4.215	Issued Date:
		Rescinds:	Issued:

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6 developmentally appropriate and aligned with state academic standards.

7 The Director of Schools shall provide guidance to staff on appropriate use of technology for these
8 grades. The [insert title of employee] shall create a process for ensuring that digital instruction
9 complies with this framework and state law.

10 **SOCIAL MEDIA USE**

11 Students in grades kindergarten through five (K-5) are prohibited from accessing social media
12 platforms using district provided internet during the school day.

13 **COMMUNICATION WITH PARENTS/GUARDIANS**

14 At the beginning of each school year, the Director shall ensure that principals provide
15 parent(s)/guardian(s) with information on digital device use in the classroom. This shall include the
16 types of devices used and the instructional purposes for such use.

17

Legal References

1. [Public Acts of 2026, Chapter No. 808](#)

Cross References

Use of the Internet 4.406

Marshall County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Application and Employment	Descriptor Code: 5.106	Issued Date: 07/20/26
		Rescinds: 5.106	Issued: 08/14/23

1 APPLICATION

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

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

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

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

19 *Professional Employees*

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

25 No person shall be employed:

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

3. Who is listed on the state's abuse of vulnerable persons registry maintained by the Department of Health, or on a similar registry in another jurisdiction;⁷
4. Who does not present a physician's certificate showing a satisfactory health record or has any contagious or communicable disease in such form that might endanger the health of school children;⁸
5. Who refuses to take and subscribe to an oath to support the Constitution of the State of Tennessee and of the United States of America;⁹
6. **Who has not had their information verified using E-Verify;**¹⁰
7. Who fails to make a full disclosure of any prior criminal record and any prior dismissals from employment for cause; or
8. Who does not receive a satisfactory TBI background check.¹¹

Support Employees

No person shall be employed:

1. Who has any contagious or communicable disease in such form that might endanger the health of the children;⁸
2. Who has been identified by the Department of Children's Services as a perpetrator of child abuse, severe child abuse, child sexual abuse, or child neglect, or who poses an immediate threat to the health, safety, or welfare of children;⁷
3. Who is listed on the state's abuse of vulnerable persons registry maintained by the Department of Health;⁷
4. **Who has not had their information verified using E-Verify;**¹⁰
5. Who fails to make a full disclosure of any prior criminal record and any prior dismissals from employment for cause; or
6. Who does not receive a satisfactory TBI background check.¹¹

EMPLOYMENT

After checking references and receiving written recommendations, the director of schools shall hire and assign qualified applicants.

Initial Employment for Professional Employees

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

Legal References:

1. TCA 49-5-406; TCA 49-5-413
2. State Board of Education Policy 5.501
3. TCA 49-5-406(a)(2)(A)
4. TCA 49-5-413(c)
5. TCA 49-2-131
6. TCA 49-5-403; TCA 49-5-101, TCA 49-5-106
7. TCA 49-5-413(e);
8. TCA 49-5-404;

Cross Reference:

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

9. TCA 49-5-405
10. Immigration Reform and Control Act of 1986; Pub. L. No. 99-603, 100 Stat. 3359, 8 USCA § 1101 et seq;
[Public Acts of 2026, Chapter No. 772](#)
11. TCA 49-5-413(a),(f)
12. TCA-49-5-406(b)

Click here to choose a school board.			
Monitoring: Review: Annually, in January	Descriptor Term: Application and Employment	Descriptor Code: 5.106	Issued Date:
		Rescinds:	Issued:

1 **APPLICATION**

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

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

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

13 *Professional Employees*

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

19 No person shall be employed:

- 20 1. Who does not hold a valid license to teach or a temporary permit to teach from the State Board
21 of Education;⁶
- 22 2. Who has been identified by the Department of Children's Services, or on a similar registry in
23 another jurisdiction, as a perpetrator of child abuse, severe child abuse, child sexual abuse, or
24 child neglect or who poses an immediate threat to the health, safety, or welfare of children;⁷
- 25 3. Who is listed on the state's abuse of vulnerable persons registry maintained by the Department
26 of Health, or on a similar registry in another jurisdiction;⁷
- 27 4. Who does not present a physician's certificate showing a satisfactory health record or has any
28 contagious or communicable disease in such form that might endanger the health of school
29 children;⁸
- 30 5. Who refuses to take and subscribe to an oath to support the Constitution of the State of
31 Tennessee and of the United States of America;⁹
- 32 6. Who has not had their information verified using E-Verify;¹⁰

7. Who fails to make a full disclosure of any prior criminal record and any prior dismissals from employment for cause; or
8. Who does not receive a satisfactory background check.¹¹

Support Employees

No person shall be employed:

1. Who has any contagious or communicable disease in such form that might endanger the health of school children;⁸
2. Who has been identified by the Department of Children's Services as a perpetrator of child abuse, severe child abuse, child sexual abuse, or child neglect or who poses an immediate threat to the health, safety, or welfare of children;⁷
3. Who is listed on the state's abuse of vulnerable persons registry maintained by the Department of Health;⁷
4. Who has not had their information verified using E-Verify;¹⁰
5. Who fails to make a full disclosure of any prior criminal record and any prior dismissals from employment for cause; or
6. Who does not receive a satisfactory background check.¹¹

EMPLOYMENT

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

Initial Employment for Professional Employees

The Director of Schools shall notify such person, in writing, of the offer and conditions of employment. Upon receipt of employment notification, such person shall respond within the timeline established by state law.¹³ From the date of the written acceptance, such person is considered to be under employment with the district and is subject to all rights, privileges, and duties.

Legal References

1. [TCA 49-5-406; TCA 49-5-413](#)
2. [State Board of Education Policy 5.501](#)
3. [TCA 49-5-406\(a\)\(2\)\(A\)](#)
4. [TCA 49-5-413\(c\)](#)
5. [TCA 49-2-131](#)
6. [TCA 49-5-403; TCA 49-5-101; TCA 49-5-106](#)
7. [TCA 49-5-413\(e\)](#)
8. [TCA 49-5-404](#)
9. [TCA 49-5-405](#)
10. [Immigration Reform and Control Act of 1986, Pub. L. No. 99-603, 100 Stat. 3359, 8 USCA § 1101 *et seq.*; Public Acts of 2026, Chapter No. 772](#)
11. [TCA 49-5-413\(a\), \(f\)](#)
12. [TCA 49-5-406\(b\)](#)

Cross References

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

Marshall County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Application and Employment	Descriptor Code: 5.106	Issued Date: 08/14/23
		Rescinds: 5.106	Issued: 06/14/21

APPLICATION

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

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

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

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

Professional Employees

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

No person shall be employed:

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

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

10 ***Support Employees***

11 No person shall be employed:

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

23 **EMPLOYMENT**

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

25 assign qualified applicants.

26 ***Initial Employment for Professional Employees***

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

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

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

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

Legal References:

1. TCA 49-5-406; TCA 49-5-413
2. State Board of Education Policy 5.501
3. TCA 49-5-406(a)(2)(A)
4. TCA 49-5-413(c)

Cross Reference:

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

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

Marshall County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Separation Practices for Tenured Teachers	Descriptor Code: 5.200	Issued Date: 07/20/26
		Rescinds: 5.200	Issued: 08/08/22

1 SUSPENSION PENDING AN INVESTIGATION¹

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

9 SUSPENSION OF THREE DAYS OR LESS^{2,3}

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

16 Under no circumstances shall a director of schools suspend a tenured teacher with pay **if there is a**
17 **pending investigation**. If reinstated, the tenured teacher shall be paid full salary for the period of
18 suspension, unless suspension without pay is deemed to be an appropriate penalty.

19 DISMISSAL OR SUSPENSIONS GREATER THAN THREE DAYS⁴

20 When charges are made against a tenured teacher, charging the teacher with offenses which may justify
21 dismissal or a suspension greater than three days, the charges shall be made in writing, specifically
22 stating the offenses which are charged and shall be signed by the party or parties making the charges.

23 If, in the opinion of the Board, the charges are of such nature as to warrant the release or a suspension
24 greater than three days of the teacher, the director of schools shall give the teacher a written notice of
25 this decision, a copy of the charges against the teacher, and a copy of a form provided by the
26 Commissioner of Education advising the teacher of his/her legal duties, rights and recourse.

27 A tenured teacher who has been given notice of charges against him/her may within thirty (30) days after
28 receipt of notice give written notice to the director of schools of his/her request for a hearing.

29 The director of schools shall, within five (5) days after receipt of request, assign a hearing officer from
30 the list maintained by the Board.

1 The Board shall maintain a list of qualified individuals who have indicated a willingness to act as
2 impartial hearing officers, as defined under Tennessee law.

3 The hearing officer shall notify the parties, or their attorney, of the officer's assignment and direct the
4 parties or the attorneys for the parties, or both, to appear before the hearing officer for simplification of
5 issues and the scheduling of the hearing. That hearing shall be set no later than thirty (30) days following
6 receipt of the initial request for a hearing. In the discretion of the hearing officer, all or part of any
7 prehearing conference may be conducted by telephone if each participant has an opportunity to
8 participate, be heard, and to address proof and evidentiary concerns. The hearing officer is empowered
9 to issue appropriate orders and to regulate the conduct of the proceedings.

10 Either party may appeal to the Board of Education an adverse ruling by giving written notice of appeal
11 within ten (10) working days of the hearing officer's delivery of the hearing officer's written findings
12 and conclusions. The director of schools shall prepare a copy of the proceedings, including all transcripts
13 and evidence, documentary or otherwise, and transmit the same to the Board within twenty (20) days of
14 the receipt of the notice of appeal.

15 The Board shall hear the appeal on the record, and no new evidence may be submitted by either party.
16 The appealing party may appear before the Board to argue why the adverse ruling should be overturned.
17 In no event should such argument last more than fifteen (15) minutes, unless the Board should vote to
18 extend additional time. At the conclusion of the hearing, any member of the Board may vote to sustain
19 the decision of the Hearing officer, send the record back for additional evidence, revise the penalty or
20 reverse the decision. The Board shall render its decision within ten (10) working days after the
21 conclusion of the hearing. In the event that the decision of the Board is appealed to the Chancery court,
22 the Board shall transmit the entire record prepared by the director and reviewed by the Board to the
23 Chancery court for its review.

24 RESIGNATION

25 A teacher shall give the director of schools notice of resignation at least thirty (30) days before the
26 effective date of the resignation. A teacher who fails to give such notice, in the absence of justifiable
27 extenuating circumstances, shall forfeit all tenure status. The Board may waive the thirty (30) days'
28 notice requirement and permit a teacher to resign in good standing.⁵

29 The conditions under which it is permissible to break a contract with the Board are as follows:⁶

- 30 1. The incapacity on the part of the teacher to perform the contract as evidenced by the certified
31 statement of a physician approved by the Board;
- 32 ~~2. The drafting of the teacher into military service by a selective service board; or~~
- 33 3. The release by the Board of the teacher from the contract which the teacher has entered into with
34 the Board.

35
36 Any teacher on leave shall notify the director of schools in writing at least thirty (30) days prior to the
37 date of return if the teacher does not intend to return to the position from which he/she has taken leave.
38 Failure to render such notice may be considered a breach of contract.⁷
39

~~Upon a breach of contract, the Board, upon a motion recorded in its minutes, may file a complaint with the State Board of Education and request the suspension of a teacher's license. After the State Board of Education has provided the teacher an opportunity for defense during a hearing, the State Board of Education may suspend the license for no less than thirty (30) days and no more than three hundred sixty-five (365) days.⁸~~

RETIREMENT

Retirement shall mean a termination of services under conditions which will allow the employee to draw benefits from retirement plans and/or social security benefits. Teachers eligible for retirement benefits may elect to retire at any age according to the provisions of the retirement system.

Central office personnel shall assist employees in securing retirement benefits; however, it shall be the responsibility of the retiring teacher to provide verification of eligibility in writing from Tennessee Consolidated Retirement System (TCRS) to the central office. It shall be the responsibility of the retiring teacher to file for benefits.

The employee must meet TCRS requirements for full retirement, which is 60 years of age or 30 years of service. Unused sick leave can be counted toward an employee's years of service. The employee must have at least ten (10) years of credible service to continue group health insurance coverage with the State of Tennessee.

The employee must be employed by the Marshall County Board of Education (MCBOE) for fifteen (15) years, non-consecutive, the last five (5) years of service with the school system, and have the system's insurance during those five (5) years. MCBOE will pay a portion of the premium until the employee reaches the age of 65.

Anyone hired after July 1, 2015, is not eligible for state insurance at retirement.

Legal References:

1. TCA 49-5-511(a)(3)
2. TCA 49-2-301(b)(1)(EE), TCA 49-5-512(d)
3. TCA 49-5-511(a)(2)
4. TCA 49-5-511 through 513
5. TCA 49-5-508(a); **TCA 49-5-411(b); Public Acts of 2026, Chapter No. 898**
6. TCA 49-5-508(c)
7. TCA 49-5-706
8. ~~TCA 49-5-411(b)~~

Cross Reference:

Public Hearings 1.401
Teacher Tenure 5.117
Recommendations and File Transfers 5.203

Click here to choose a school board.			
Monitoring: Review: Annually, in January	Descriptor Term: Separation Practices for Tenured Teachers	Descriptor Code: 5.200	Issued Date:
		Rescinds:	Issued:

1 **ALLEGATIONS REQUIRING TEMPORARY REMOVAL FROM DUTY**

2 If an investigation of an employee's conduct is required, the Director of Schools shall determine
3 whether to temporarily modify the employee's work status based on concerns for safety or to minimize
4 disruption to the educational environment. This may include, but is not limited to:

- 5 • Reassignment to alternate duties;
- 6
- 7 • Placement on administrative leave with pay; or
- 8
- 9 • Temporary removal from the school setting.

10 Such action shall not be considered disciplinary in nature but rather a precautionary measure until a
11 determination can be made regarding an appropriate return to duties, or the imposition of disciplinary
12 action, which could include suspension without pay.

13 **SUSPENSION PENDING AN INVESTIGATION¹**

14 The Director of Schools may suspend a teacher at any time that may seem necessary, pending
15 investigation, or final disposition of a case before the Board or an appeal. If the matter under investigation
16 is not the subject of an ongoing criminal investigation or a Department of Children's Services
17 investigation, and if no charges for dismissal have been made, a suspension pending investigation shall
18 not exceed ninety (90) days in duration. Under no circumstances shall the Director of Schools suspend
19 a teacher with pay if there is a pending investigation. If vindicated or reinstated, the teacher shall be paid
20 full salary for the period of suspension.

21 **SUSPENSION OF THREE DAYS OR LESS^{2,3}**

22 The Director of Schools/designee may suspend a teacher for incompetence, inefficiency, neglect of duty,
23 unprofessional conduct, and insubordination. Before a teacher is suspended, he/she shall be: (1) provided
24 with written notice, including the reasons for the suspension along with an explanation of the evidence;
25 (2) given an opportunity to respond to the Director of Schools at a conference, if requested within five
26 (5) days; and (3) given a written decision of the suspension within ten (10) days. Both parties may be
27 represented by counsel at the conference, which shall be recorded.

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

1 **DISMISSAL OR SUSPENSION GREATER THAN THREE DAYS⁴**

2 When a tenured teacher is charged with offenses that may justify dismissal or a suspension greater than
3 three (3) days, the charges shall be made in writing, specifically stating the offenses that are charged,
4 and shall be signed by the party or parties making the charges.

5 If, in the opinion of the Board, the charges are of such nature as to warrant the dismissal or a suspension
6 greater than three (3) days of the teacher, the Director of Schools shall give the teacher a written notice
7 of this decision, a copy of the charges against the teacher, and a copy of a form provided by the
8 Commissioner of Education advising the teacher of his/her legal duties, rights, and recourse.

9 A tenured teacher who has been given notice of charges against him/her may within thirty (30) days after
10 receipt of notice give written notice to the Director of Schools of his/her request for a hearing.

11 The Director of Schools shall, within five (5) days after receipt of request, assign a hearing officer from
12 the list maintained by the Board.

13 The Board shall maintain a list of qualified individuals who have indicated a willingness to act as
14 impartial hearing officers as defined under Tennessee law.

15 The hearing officer shall notify the parties, or their attorney, of the officer's assignment and direct the
16 parties or the attorneys for the parties, or both, to appear before the hearing officer for simplification of
17 issues and the scheduling of the hearing. That hearing shall be set no later than thirty (30) days following
18 receipt of the initial request for a hearing. In the discretion of the hearing officer, all or part of any
19 prehearing conference may be conducted by telephone if each participant has an opportunity to
20 participate, be heard, and to address proof and evidentiary concerns. The hearing officer is empowered
21 to issue appropriate orders and to regulate the conduct of the proceedings.

22 Either party may appeal to the Board an adverse ruling by giving written notice of appeal within ten (10)
23 working days of the hearing officer's delivery of the hearing officer's written findings and conclusions.
24 The Director of Schools shall prepare a copy of the proceedings, including all transcripts and evidence,
25 documentary or otherwise, and transmit the same to the Board within twenty (20) working days of the
26 receipt of the notice of appeal.

27 The Board shall hear the appeal on the record, and no new evidence may be submitted by either party.
28 The appealing party may appear before the Board to argue why the adverse ruling should be overturned.
29 In no event should such argument last more than fifteen (15) minutes unless the Board votes to extend
30 additional time. At the conclusion of the hearing, any member of the Board may vote to sustain the
31 decision of the hearing officer, send the record back for additional evidence, revise the penalty, or reverse
32 the decision. The Board shall render its decision within ten (10) working days after the conclusion of the
33 hearing. In the event that the decision of the Board is appealed to the chancery court, the Board shall
34 transmit the entire record prepared by the Director of Schools and reviewed by the Board to the chancery
35 court for its review.

36 **RESIGNATION**

37 A teacher shall give the Director of Schools notice of resignation at least thirty (30) days before the
38 effective date of the resignation. A teacher who fails to give such notice, in the absence of justifiable

extenuating circumstances, shall forfeit all tenure status. The Board may waive the thirty (30) days' notice requirement and permit a teacher to resign in good standing.⁵

The conditions under which it is permissible to break a contract with the Board are as follows:⁶

1. The incapacity on the part of the teacher to perform the contract as evidenced by the certified statement of a physician approved by the Board; or
2. The release by the Board of the teacher from the contract that the teacher has entered into with the Board.

Any teacher on leave shall notify the Director of Schools in writing at least thirty (30) days prior to the date of return if the teacher does not intend to return to the position from which he/she has taken leave. Failure to render such notice may be considered a breach of contract.⁷

RETIREMENT

Retirement is a termination of services under conditions that will allow the teacher to draw benefits from retirement plans and/or Social Security benefits. Teachers eligible for retirement benefits may elect to retire at any age according to the provisions of the retirement system.

Central office personnel shall assist teachers in securing retirement benefits; however, it shall be the responsibility of the retiring teacher to provide verification of eligibility in writing from the Tennessee Consolidated Retirement System (TCRS) to the central office. It shall be the responsibility of the retiring teacher to file for benefits.

Legal References

1. [TCA 49-5-511\(a\)\(3\)](#)
2. [TCA 49-2-301\(b\)\(1\)\(EE\)](#), [TCA 49-5-512\(d\)](#)
3. [TCA 49-5-511\(a\)\(2\)](#)
4. [TCA 49-5-511; 512; 513](#)
5. [TCA 49-5-508\(a\)](#); [TCA 49-5-411\(b\)](#); [Public Acts of 2026, Chapter No. 898](#)
6. [TCA 49-5-508\(c\)](#)
7. [TCA 49-5-706](#)

Cross References

Public Hearings 1.401
Teacher Tenure 5.117
Recommendations and File Transfers 5.203

Marshall County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Separation Practices for Tenured Teachers	Descriptor Code: 5.200	Issued Date: 08/08/22
		Rescinds: 5.200	Issued: 11/08/22

1 SUSPENSION PENDING AN INVESTIGATION¹

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

9 SUSPENSION OF THREE DAYS OR LESS^{2,3}

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

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

19 DISMISSAL OR SUSPENSIONS GREATER THAN THREE DAYS⁴

20 When charges are made against a tenured teacher, charging the teacher with offenses which may justify
21 dismissal or a suspension greater than three days, the charges shall be made in writing, specifically
22 stating the offenses which are charged and shall be signed by the party or parties making the charges.

23 If, in the opinion of the Board, the charges are of such nature as to warrant the release or a suspension
24 greater than three days of the teacher, the director of schools shall give the teacher a written notice of
25 this decision, a copy of the charges against the teacher, and a copy of a form provided by the
26 Commissioner of Education advising the teacher of his/her legal duties, rights and recourse.

27 A tenured teacher who has been given notice of charges against him/her may within thirty (30) days after
28 receipt of notice give written notice to the director of schools of his/her request for a hearing.

29 The director of schools shall, within five (5) days after receipt of request, assign a hearing officer from
30 the list maintained by the Board.

The Board shall maintain a list of qualified individuals who have indicated a willingness to act as impartial hearing officers, as defined under Tennessee law.

The hearing officer shall notify the parties, or their attorney, of the officer's assignment and direct the parties or the attorneys for the parties, or both, to appear before the hearing officer for simplification of issues and the scheduling of the hearing. That hearing shall be set no later than thirty (30) days following receipt of the initial request for a hearing. In the discretion of the hearing officer, all or part of any prehearing conference may be conducted by telephone if each participant has an opportunity to participate, be heard, and to address proof and evidentiary concerns. The hearing officer is empowered to issue appropriate orders and to regulate the conduct of the proceedings.

Either party may appeal to the Board of Education an adverse ruling by giving written notice of appeal within ten (10) working days of the hearing officer's delivery of the hearing officer's written findings and conclusions. The director of schools shall prepare a copy of the proceedings, including all transcripts and evidence, documentary or otherwise, and transmit the same to the Board within twenty (20) days of the receipt of the notice of appeal.

The Board shall hear the appeal on the record, and no new evidence may be submitted by either party. The appealing party may appear before the Board to argue why the adverse ruling should be overturned. In no event should such argument last more than fifteen (15) minutes, unless the Board should vote to extend additional time. At the conclusion of the hearing, any member of the Board may vote to sustain the decision of the Hearing officer, send the record back for additional evidence, revise the penalty or reverse the decision. The Board shall render its decision within ten (10) working days after the conclusion of the hearing. In the event that the decision of the Board is appealed to the Chancery court, the Board shall transmit the entire record prepared by the director and reviewed by the Board to the Chancery court for its review.

RESIGNATION

A teacher shall give the director of schools notice of resignation at least thirty (30) days before the effective date of the resignation. A teacher who fails to give such notice, in the absence of justifiable extenuating circumstances, shall forfeit all tenure status. The Board may waive the thirty (30) days' notice requirement and permit a teacher to resign in good standing.⁵

The conditions under which it is permissible to break a contract with the Board are as follows:⁶

1. The incapacity on the part of the teacher to perform the contract as evidenced by the certified statement of a physician approved by the Board;
2. The drafting of the teacher into military service by a selective service board; or
3. The release by the Board of the teacher from the contract which the teacher has entered into with the Board.

Any teacher on leave shall notify the director of schools in writing at least thirty (30) days prior to the date of return if the teacher does not intend to return to the position from which he/she has taken leave. Failure to render such notice may be considered a breach of contract.⁷

Upon a breach of contract, the Board, upon a motion recorded in its minutes, may file a complaint with the State Board of Education and request the suspension of a teacher's license. After the State Board of Education has provided the teacher an opportunity for defense during a hearing, the State Board of Education may suspend the license for no less than thirty (30) days and no more than three hundred sixty-five (365) days.⁸

RETIREMENT

Retirement shall mean a termination of services under conditions which will allow the employee to draw benefits from retirement plans and/or social security benefits. Teachers eligible for retirement benefits may elect to retire at any age according to the provisions of the retirement system.

Central office personnel shall assist employees in securing retirement benefits; however, it shall be the responsibility of the retiring teacher to provide verification of eligibility in writing from Tennessee Consolidated Retirement System (TCRS) to the central office. It shall be the responsibility of the retiring teacher to file for benefits.

The employee must meet TCRS requirements for full retirement, which is 60 years of age or 30 years of service. Unused sick leave can be counted toward an employee's years of service. The employee must have at least ten (10) years of credible service to continue group health insurance coverage with the State of Tennessee.

The employee must be employed by the Marshall County Board of Education (MCBOE) for fifteen (15) years, non-consecutive, the last five (5) years of service with the school system, and have the system's insurance during those five (5) years. MCBOE will pay a portion of the premium until the employee reaches the age of 65.

Anyone hired after July 1, 2015, is not eligible for state insurance at retirement.

Legal References:

1. TCA 49-5-511(a)(3)
2. TCA 49-2-301(b)(1)(EE), TCA 49-5-512(d)
3. TCA 49-5-511(a)(2)
4. TCA 49-5-511 through 513
5. TCA 49-5-508(a)
6. TCA 49-5-508(c)
7. TCA 49-5-706
8. TCA 49-5-411(b)

Cross Reference:

Public Hearings 1.401
Teacher Tenure 5.117
Recommendations and File Transfers 5.203

Marshall County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Separation Practices for Non-Tenured Teachers	Descriptor Code: 5.201	Issued Date: 07/20/26
		Rescinds: 5.201	Issued: 08/08/22

1 SUSPENSION PENDING AN INVESTIGATION¹

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

9 SUSPENSION OF THREE DAYS OR LESS²

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

16 Under no circumstances shall the director of schools suspend a non-tenured teacher with pay **if there is**
17 **a pending investigation**. If reinstated, the non-tenured teacher shall be paid full salary for the period of
18 suspension unless suspension without pay is deemed to be an appropriate penalty.

19 DISMISSAL OR SUSPENSION GREATER THAN THREE DAYS²

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

23 The director of schools shall give the non-tenured teacher an opportunity for a full and complete hearing
24 before an impartial hearing officer.

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

- 27 1. be represented by counsel;
 - 28 2. call and subpoena witnesses;
 - 29 3. examine all witnesses; and
 - 30 4. require that all testimony be given under oath.
-

Factual findings and decisions in all dismissal cases shall be reduced to written form and delivered to the affected teacher within ten (10) working days following the close of the hearing. The teacher may appeal the decision to the Board within ten (10) working days of the hearing officer rendering the written decision to the teacher. Written notice of appeal to the Board shall be given to the director of schools. Within twenty (20) working days of receipt of notice, the director shall prepare a copy of the proceedings, transcript, documentary and other evidence presented and provide the Board a copy of the same.

The director of schools shall also have the right to appeal any adverse ruling by the Hearing Officer in the same manner as the non-tenured teacher.

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

1. sustain the decision;
2. send the record back if additional evidence is necessary; or
3. revise the penalty or reverse the decision.

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

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

NONRENEWAL

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

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

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

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

1 RESIGNATION

2 A teacher shall give the director of schools notice of resignation at least thirty (30) days before the
3 effective date of the resignation.⁵ The Board may waive the thirty (30) days' notice requirement and
4 permit a teacher to resign in good standing.

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

- 6 1. The incapacity on the part of the teacher to perform the contract as evidenced by the certified
7 statement of a physician approved by the Board;
- 8 ~~2. The drafting of a teacher into military service by a selective service board; and~~
- 9 3. The release by the Board of the teacher from the contract which the teacher has entered into with
10 the Board.

11 Any teacher on leave shall notify the director of schools in writing at least thirty (30) days prior to the
12 date of return if the teacher does not intend to return to the position from which he/she has taken leave.
13 Failure to render such notice may be considered a breach of contract.⁷

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

19 RETIREMENT

20 Retirement shall mean a termination of services under conditions which will allow the teacher to draw
21 benefits from retirement plans and/or social security benefits.

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

27 The employee must meet TCRS requirements for full retirement, which is 60 years of age or 30 years of
28 service. Unused sick leave can be counted toward an employee's years of service. The employee must
29 have at least ten (10) years of credible service to continue group health insurance coverage with the State
30 of Tennessee.

31 The employee must be employed by the Marshall County Board of Education (MCBOE) for fifteen (15)
32 years, non-consecutive, the last five (5) years of service with the school system, and have the system's
33 insurance during those five (5) years. MCBOE will pay a portion of the premium until the employee
34 reaches the age of 65.

35 Anyone hired after July 1, 2015, is not eligible for state insurance at retirement.

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

Legal References:

1. TCA 49-5-511(a)(3)
2. TCA 49-2-301(b)(1)(EE), TCA 49-5-512
3. TCA 49-5-409
4. **TCA 9-5-409(b)(2)**
5. TCA 49-5-508; **TCA49-5-411(b); Public Acts of 2026,**
Chapter No. 898
6. TCA 49-5-411(a)
7. TCA 49-5-706
8. ~~TCA 49-5-411(b)~~
9. ~~TCA 8-36-805~~

Cross Reference:

Public Hearings 1.401
Teacher Tenure 5.117
Recommendations and File Transfers 5.203

Click here to choose a school board.			
Monitoring: Review: Annually, in January	Descriptor Term: Separation Practices for Non-Tenured Teachers	Descriptor Code: 5.201	Issued Date:
		Rescinds:	Issued:

1 ALLEGATIONS REQUIRING TEMPORARY REMOVAL FROM DUTY

2 If an investigation of an employee's conduct is required, the Director of Schools shall determine
3 whether to temporarily modify the employee's work status based on concerns for safety or to minimize
4 disruption to the educational environment. This may include, but is not limited to:

- 5 • Reassignment to alternate duties;
- 6
- 7 • Placement on administrative leave with pay; or
- 8
- 9 • Temporary removal from the school setting.

10 Such action shall not be considered disciplinary in nature but rather a precautionary measure until a
11 determination can be made regarding an appropriate return to duties, or the imposition of disciplinary
12 action, which could include suspension without pay.

13 SUSPENSION PENDING AN INVESTIGATION¹

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

21 SUSPENSION OF THREE DAYS OR LESS²

22 The Director of Schools/designee may suspend a teacher for incompetence, inefficiency, neglect of duty,
23 unprofessional conduct, and insubordination. Before a teacher is suspended, he/she shall be: (1) provided
24 with written notice, including the reasons for the suspension along with an explanation of the evidence;
25 (2) given an opportunity to respond to the Director of Schools at a recorded conference, if requested
26 within five (5) days; and (3) given a written decision of the suspension within ten (10) days. Both parties
27 may be represented by counsel at the conference, which shall be recorded.

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

1 DISMISSAL OR SUSPENSION GREATER THAN THREE DAYS²

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

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

7 The Board will appoint an impartial hearing officer to conduct such hearings. The hearing officer will
8 hear the case, and the teacher shall have the right to:

- 9 1. Be represented by counsel;
- 10
- 11 2. Call and subpoena witnesses;
- 12
- 13 3. Examine all witnesses; and
- 14
- 15 4. Require that all testimony be given under oath.

16 Factual findings and decisions in all dismissal cases shall be reduced to written form and delivered to the
17 affected teacher within ten (10) working days following the close of the hearing. The teacher may appeal
18 the decision to the Board within ten (10) working days of the hearing officer rendering the written
19 decision to the teacher. Written notice of appeal to the Board shall be given to the Director of Schools.
20 Within twenty (20) working days of receipt of notice, the Director of Schools shall prepare a copy of the
21 proceedings, including all transcripts and evidence, documentary or otherwise, and provide a copy to the
22 Board.

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

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

- 28 1. Sustain the decision;
- 29
- 30 2. Send the record back if additional evidence is necessary; or
- 31
- 32 3. Revise the penalty or reverse the decision.

33 Before any decision to dismiss is made, a majority of the membership of the Board shall concur in
34 sustaining the charges. The Board shall render a decision on the appeal within ten (10) working days
35 after the conclusion of the hearing.

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

NONRENEWAL

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

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

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

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

RESIGNATION

A teacher shall give the Director of Schools notice of resignation at least thirty (30) days before the effective date of the resignation.⁵ The Board may waive the thirty (30) days notice requirement and permit a teacher to resign in good standing.

The conditions under which it is permissible to break a contract with the Board are as follows:⁶

1. The incapacity on the part of the teacher to perform the contract as evidenced by the certified statement of a physician approved by the Board; or
2. The release by the Board of the teacher from the contract which the teacher has entered into with the Board.

Any teacher on leave shall notify the Director of Schools in writing at least thirty (30) days prior to the date of return if the teacher does not intend to return to the position from which he/she has taken leave. Failure to render such notice may be considered a breach of contract.⁷

RETIREMENT

Retirement is a termination of services under conditions which will allow the teacher to draw benefits from retirement plans and/or Social Security benefits.

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

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

Legal References

1. [TCA 49-5-511\(a\)\(3\)](#)
2. [TCA 49-2-301\(b\)\(1\)\(EE\)](#); [TCA 49-5-512](#)
3. [TCA 49-5-409](#)
4. [TCA 49-5-409\(b\)\(2\)](#)
5. [TCA 49-5-508](#); [TCA 49-5-411\(b\)](#); [Public Acts of 2026, Chapter No. 898](#)
6. [TCA 49-5-411\(a\)](#)
7. [TCA 49-5-706](#)

Cross References

- Public Hearings 1.401
 Teacher Tenure 5.117
 Recommendations and File Transfers 5.203

Marshall County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Separation Practices for Non-Tenured Teachers	Descriptor Code: 5.201	Issued Date: 08/08/22
		Rescinds: 5.201	Issued: 11/08/21

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3 investigation or final disposition of a case before the board or an appeal. If the matter under investigation
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18 without pay is deemed to be an appropriate penalty.

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21 **the contract year** for incompetence, inefficiency, insubordination, improper conduct or neglect of duty
22 after giving the non-tenured teacher, in writing, due notice of the charges.

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24 before an impartial hearing officer.

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26 hear the case and the teacher shall have the right to:

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Anyone hired after July 1, 2015, is not eligible for state insurance at retirement.

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

Legal References:

1. TCA 49-5-511(a)(3)
2. TCA 49-2-301(b)(1)(EE), TCA 49-5-512
3. TCA 49-5-409
4. Public Acts of 2022, Chapter No. 678
5. TCA 49-5-508
6. TCA 49-5-411(a)
7. TCA 49-5-706
8. TCA 49-5-411(b)
9. TCA 8-36-805

Cross Reference:

Public Hearings 1.401
Teacher Tenure 5.117
Recommendations and File Transfers 5.203

Marshall County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Sick Leave	Descriptor Code: 5.302	Issued Date: 07/20/26
		Rescinds: 5.302	Issued: 08/12/24

PROFESSIONAL PERSONNEL

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

Professional personnel shall earn sick leave as outlined below and these days shall accumulate for an unlimited number of days.¹

- 10-month contract = 8 sick days earned per year
- 11-month contract = 9 sick days earned per year
- 12-month contract = 10 sick days earned per year

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

A signed statement listing the cause of absence shall be provided by the employee on forms furnished by the director of schools and shall promptly be given to the immediate supervisor in support of all claims for sick leave pay. A falsified statement shall be grounds for dismissal. An employee absent for five (5) consecutive working days shall submit a doctor's statement verifying illness or injury of the employee or immediate family member.

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

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

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

A teacher, upon employment, may transfer his/her accumulated sick leave from another Tennessee school system, provided that the director of schools of the system in which the accumulated leave was held provides notarized verification.³

SUPPORT PERSONNEL

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

Sick leave shall be defined as: illness of an employee from natural causes or accident, quarantine, or illness or death of a member of the employee's immediate family, including the employee's spouse, parent, grandparent, child, grandchild, brother, sister, mother-in-law, father-in-law, daughter-in-law, son-in-law, brother-in-law and sister-in-law.²

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

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

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

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

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

SICK LEAVE BANK

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

There shall be a waiting period of five (5) consecutive duty days (excluding extensions for the same illness or injury) following the exhaustion of all available "paid leave" before days from the Bank may be used.

To form a sick leave bank, a minimum of twenty (20) employees from the school system shall petition the Board for permission to establish a sick leave bank⁵. Upon approval, sick leave bank trustees shall be appointed and shall operate as the governing body of the sick leave bank and shall enact rules and regulations consistent with state law⁶. Employees wishing to participate shall initially give a maximum of three (3) days of sick leave. These days are to be deducted from the employee's personal accumulation and donated to the sick leave bank. Donations of sick leave to the bank are nonrefundable and nontransferable.⁷

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

- 1 An employee who is a member of the sick leave bank may request an allotment of days (for the
2 employee's personal illness or on account of an illness of his/her minor child) in the manner designated
3 by the trustees. The need for these days must be verified by a statement from a doctor.⁸
- 4 By written notice to the trustees, an employee may withdraw from bank participation on June 30 of any
5 year.⁹ Membership withdrawal results in forfeiture of all days contributed.
- 6 The sick leave bank shall be operated in accordance with state law.¹⁰

7

Legal References

1. TCA 49-5-710(a)(1); **Public Acts of 2026, Chapter No. 1022**
2. TRR/MS 0520-1-2-.04(2)
3. TCA 49-5-710(a)(5)
4. TCA 49-5-811
5. TCA 49-5-803
6. TCA 49-5-804; TCA 49-5-805
7. TCA 49-5-807
8. TCA 49-5-808(j), (m)
9. **TCA 49-5-806(d)**
10. TCA 49-5-801 et seq.

Cross References

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

Click here to choose a school board.

Monitoring: Review: Annually, in January	Descriptor Term: Sick Leave	Descriptor Code: 5.302	Issued Date:
		Rescinds:	Issued:

PROFESSIONAL PERSONNEL

Professional personnel shall earn sick leave as outlined below and these days shall accumulate for an unlimited number of days.¹

- 10-month contract = 8 sick days earned per year
- 11-month contract = 9 sick days earned per year
- 12-month contract = 10 sick days earned per year

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

A signed statement listing the cause of absence shall be provided by the employee on forms furnished by the Director of Schools and shall promptly be given to the immediate supervisor in support of all claims for sick leave pay. A falsified statement shall be grounds for dismissal. An employee absent for five (5) consecutive working days shall submit a doctor's statement verifying illness or injury of the employee or immediate family member.

Frequent use and/or suspected misuse of sick leave by an employee are sufficient grounds for requiring a physician's certificate stating the reason for absence.

Documentation from a physician may be required in support of any claim for sick leave pay.

The principal shall notify the Director of Schools' office at once if an employee is sick beyond the limit of his/her sick leave accumulation.

Permanent, cumulative sick leave records for each active professional employee shall be kept in the Director of Schools' office.

A teacher, upon employment, may transfer his/her accumulated sick leave from another Tennessee school district, provided that the Director of Schools of the district in which the accumulated leave was held provides notarized verification.³

SUPPORT PERSONNEL

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

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

The immediate supervisor may require documentation from a physician stating the reason for absence.

SICK LEAVE BANK (if applicable)

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

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

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

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

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

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

Legal References

1. [TCA 49-5-710\(a\)\(1\); Public Acts of 2026, Chapter No. 1022](#)
2. [TRR/MS 0520-01-02-.04\(2\)](#)
3. [TCA 49-5-710\(a\)\(5\)](#)
4. [TCA 49-5-811](#)
5. [TCA 49-5-803](#)
6. [TCA 49-5-804; TCA 49-5-805](#)
7. [TCA 49-5-807](#)
8. [TCA 49-5-808\(j\), \(m\)](#)
9. [TCA 49-5-806\(d\)](#)
10. [TCA 49-5-801 et seq.](#)

Cross References

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

Marshall County Board of Education

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

1 PROFESSIONAL PERSONNEL

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

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

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

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

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

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

18 A teacher, upon employment, may transfer his/her accumulated sick leave from another Tennessee
19 school system, provided that the director of schools of the system in which the accumulated leave was
20 held provides notarized verification.³

21 SUPPORT PERSONNEL

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

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

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

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

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

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

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

SICK LEAVE BANK

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

There shall be a waiting period of five (5) consecutive duty days (excluding extensions for the same illness or injury) following the exhaustion of all available "paid leave" before days from the Bank may be used.

To form a sick leave bank, a minimum of twenty (20) employees from the school system shall petition the Board for permission to establish a sick leave bank. Upon approval, sick leave bank trustees shall be appointed and shall operate as the governing body of the sick leave bank and shall enact rules and regulations consistent with state law⁶. Employees wishing to participate shall initially give a maximum of three (3) days of sick leave. These days are to be deducted from the employee's personal accumulation and donated to the sick leave bank. Donations of sick leave to the bank are nonrefundable and nontransferable.⁷

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

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

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

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

Legal References

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

Cross References

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



Marshall County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Personal and Professional Leave	Descriptor Code: 5.303	Issued Date: 07/20/26
		Rescinds: 5.303	Issued: 01/11/21

~~Personal and professional leave shall be granted in accordance with laws of the State of Tennessee and rules and regulations of the State Board of Education.~~

Professional employees shall earn personal and professional leave at the rate of two (2) days for each half-year employed for a total of four (4) days per year. Any personal and professional leave remaining unused at the end of a year shall be credited to sick leave.¹

~~Certificated employees shall earn personal and professional leave at the rate of one day for each half-year employed for a total of two (2) days per year. Any personal and professional leave remaining unused at the end of a year shall be credited to sick leave.¹~~

If, at the termination of services, any employee has been absent for more days than leave has been earned, an amount sufficient to cover the excess days used shall be deducted from the employee's final salary payment.²

Subject to the following conditions, personal leave may be taken at the discretion of the employee:

1. Except in emergency, each employee shall give the principal at least one day's notice in writing of intent to take leave;
2. The approval of the principal of the school shall be required:³
 - a. If more than ten percent (10%) of the teachers in any given school request its use on the same day;
 - b. If requested during any prior established student examination period;
 - c. If requested on the day immediately preceding or following a holiday or vacation period.
 - d. If personal leave is requested for days scheduled for professional development or in-service training, according to a school calendar adopted by the Board prior to the commencement of the school year; or
 - e. If personal leave is requested for days scheduled for parent-teacher conferences, according to a school calendar adopted by the Board prior to the commencement of the school year.

PROFESSIONAL LEAVE

- 1 Professional leave is a short, temporary absence for the purpose of attending workshops and other
2 meetings relating to school business or serving on boards and commissions which meet during daytime
3 hours when appointed by a major, city council, county executive or county commission.⁴ A teacher shall
4 not be granted over ten (10) days' professional leave per year without approval from the Board of
5 Education.
- 6 Requests shall be submitted to the principal at least five (5) days prior to requested leave of absence.
- 7 In addition, certificated employees shall be granted leave to serve on any board or commission of the
8 state when the appointment is made by the Governor or General Assembly. Such leave shall not be
9 counted against any other accumulated leave credits. The employee shall notify the principal at least five
10 (5) days prior to leave being taken.⁴

Legal References:

1. TCA 49-5-711(a); **Public Acts of 2026, Chapter No. 1022;**
TRR/MS 0520-1-2-.04(3)
2. **TCA 49-5-711(b)**
3. **TCA 49-5-711(c)(1)**
4. TCA 49-5-205

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Monitoring: Review: Annually, in January	Descriptor Term: Personal and Professional Leave	Descriptor Code: 5.303	Issued Date:
		Rescinds:	Issued:

Professional employees shall earn personal and professional leave at the rate of two (2) days for each half-year employed for a total of four (4) days per year. Any personal and professional leave remaining unused at the end of a year shall be credited to sick leave.¹

If, at the termination of services, any employee has been absent for more days than leave has been earned, an amount sufficient to cover the excess days used shall be deducted from the employee's final salary payment.²

PERSONAL LEAVE

Subject to the following conditions, personal leave may be taken at the discretion of the employee:

1. Except in an emergency, each employee shall give the principal at least five (5) days' notice in writing of intent to take leave;
2. The approval of the principal of the school shall be required:³
 - a. If more than ten percent (10%) of the teachers in any given school request its use on the same day;
 - b. If requested during any prior established student examination period;
 - c. If requested on the day immediately preceding or following a holiday or vacation period;
 - d. If personal leave is requested for days scheduled for professional development or in-service training, according to a school calendar adopted by the Board prior to the commencement of the school year; or
 - e. If personal leave is requested for days scheduled for parent-teacher conferences, according to a school calendar adopted by the Board prior to the commencement of the school year.

PROFESSIONAL LEAVE

Professional leave is a short, temporary absence for the purpose of attending workshops and other meetings relating to school business or serving on boards and commissions which meet during daytime hours when appointed by a mayor, city council, county executive, or county commission.⁴

Legal References

1. [TCA 49-5-711\(a\); Public Acts of 2026, Chapter No. 1022; TRR/MS 0520-01-02-.04\(3\)](#)
2. [TCA 49-5-711\(b\)](#)
3. [TCA 49-5-711\(c\)\(1\)](#)
4. [TCA 49-5-205](#)

Cross References

Short Term Leaves of Absence 5.300
Legislative Leave 5.309

Marshall County Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Personal and Professional Leave	Descriptor Code: 5.303	Issued Date: 01/11/21
		Rescinds: 5.303	Issued: 12/14/99

1 Personal and professional leave shall be granted in accordance with laws of the State of Tennessee and
2 rules and regulations of the State Board of Education.

3 Certificated employees shall earn personal and professional leave at the rate of one day for each half-
4 year employed for a total of two (2) days per year. Any personal and professional leave remaining unused
5 at the end of a year shall be credited to sick leave.¹

6 If, at the termination of services, any employee has been absent for more days than leave has been earned,
7 an amount sufficient to cover the excess days used shall be deducted from the employee's final salary
8 payment.

9 Subject to the following conditions, personal leave may be taken at the discretion of the employee:

10 1. Except in emergency, each employee shall give the principal at least one day's notice in writing
11 of intent to take leave;

12 2. The approval of the principal of the school shall be required:

13 a. If more than ten percent (10%) of the teachers in any given school request its use on the same
14 day;

15 b. If requested during any prior established student examination period;

16 c. If requested on the day immediately preceding or following a holiday or vacation period.¹

17 d. If personal leave is requested for days scheduled for professional development or in-service
18 training, according to a school calendar adopted by the Board prior to the commencement of
19 the school year; or

20 e. If personal leave is requested for days scheduled for parent-teacher conferences, according
21 to a school calendar adopted by the Board prior to the commencement of the school year.

22 Professional leave is a short, temporary absence for the purpose of attending workshops and other
23 meetings relating to school business or serving on boards and commissions which meet during daytime
24 hours when appointed by a major, city council, county executive or county commission.² A teacher shall
25 not be granted over ten (10) days' professional leave per year without approval from the Board of
26 Education.

27 Requests shall be submitted to the principal at least five (5) days prior to requested leave of absence.

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

Legal References:

1. TCA 49-5-711; TRR/MS 0520-1-2-.04(3)
2. 2. TCA 49-5-205

Marshall County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Attendance	Descriptor Code: 6.200	Issued Date: 07/20/26
		Rescinds: 6.200	Issued: 07/21/25

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

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

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

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

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

ABSENCES

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

Excused absences shall include:⁴

- I. Medical Excuses:** Students must provide valid documentation for absences which details accurate dates of illness (this includes doctors, dentists, and/or health care agencies). Upon returning to school, a student has three (3) school days in which to submit a note. After three (3) days, the absence(s) will become permanently unexcused.
- II. Personal Days:** Beginning with the 2020-2021 school year, students will be allowed three (3) excused personal days per semester. These days will cover the following types of absences; however, proper documentation must be presented to the office in order for the absence to be excused:
 1. Personal illnesses, serious family illness or family emergency – (a note from the student's parent/guardian or legal custodian will be required for the student's returning to school). The

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

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

3. Deaths

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

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

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

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

6. Pregnancy.

7. Extreme weather conditions.

8. School-endorsed activities.

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

Any absence without a note is automatically an unexcused absence.

The principal shall be responsible for ensuring that:⁶

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

NON-SCHOOL SPONSORED EXTRACURRICULAR ACTIVITY¹⁰

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

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

1 **RELEASED TIME COURSE¹¹**

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.¹² 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 district shall not be responsible for transporting students to and from the place of instruction.

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

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

16 **TRUANCY**

17 *General*

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

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

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

32 *Progressive Truancy Plan⁸*

33 **Tier I**

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

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

Tier II

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

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

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

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

Tier III

If a student continues with additional unexcused absences after Tier I and Tier II have been attempted, then Tier III will be implemented. It will consist of parents and students being cited to the Marshall County Truancy Board for additional services and a warning of juvenile court. Once all three Tiers have been attempted, students and/or parents will be cited to Juvenile Court.¹⁴ The interventions shall address

1 students' needs in an age-appropriate manner. Finalized plans shall be approved by the director of
2 schools/designee.

3 *Transfer Students and Truancy Tracking*

4 The district shall request attendance records for students enrolling after the start of the school year
5 from the previous public school district. Unexcused absences accumulated at a previous district for the
6 current school year shall be factored into the student's placement on the truancy intervention plan tiers,
7 if applicable.⁹

8 **STATE-MANDATED ASSESSMENT**

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

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

15 **DRIVER'S LICENSE REVOCATION²**

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

18 **CREDIT/PROMOTION DENIAL**

19 Credit/Promotion denial determinations may include student attendance; however, student attendance
20 may not be the sole criterion.¹³ However, if attendance is a factor, prior to credit/promotion denial, the
21 following shall occur:

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

25 ~~Out of School Suspension days are likewise unexcused absences.~~

26 The principal shall be responsible for ensuring that:⁷

- 27 1. Attendance is checked and reported daily for each class;
- 28 2. Daily absentee sheets contain sign in/sign out sheets and indicate students present or absent for
29 the majority of the day;
- 30 3. All student absences are verified;
- 31 4. Written excuses are submitted for absences and tardiness;
- 32 5. System-wide procedures for accounting and reporting are followed; and
- 33 6. Students who are absent three (3) days without adequate excuse shall be reported to the director
34 of schools/designee who will, in turn, provide written notice to the parent(s)/guardian(s) of the

student's absence.⁸ The director of schools/designee shall also comply with state law regarding the reporting of truant students to the proper authorities.⁸

TARDIES, EARLY DISMISSALS AND DETENTION

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

ELEMENTARY TARDY* POLICY

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

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

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

RULES AND PENALTIES

1. A student must present documentation of his/her absence and receive a class admittance note before entering class. Documentation must be turned in within three (3) school days from the date the student returns to school, or the absences will be unexcused.
2. All missed classwork and tests (whether from an excused or unexcused absence) may be made up if the student makes the request immediately upon returning to school and if class time is not taken. Requests for make-up work made prior to the first bell must be provided by the teacher(s) by 3:00 p.m. the same day. Make-up work must be completed and returned to the teacher within one day per absence.
3. Time spent in before-school or after-school detention is for disciplinary purposes and will not be construed as make-up time. Under no circumstances will detention time be substituted for class time and/or work missed.
4. If a student has an illness that requires hospitalization exceeding ten (10) school days, the student, or his/her parent/guardian may apply to the Special Populations Supervisor for a "homebound" teacher to provide instruction.
5. The principal shall be responsible for notifying in writing the director of schools and the parents of the student of any action taken by the school.
6. A student participating in a school-sponsored activity, whether on or off campus, will not be counted absent. The student will be eligible to make up all work missed and will receive full credit for the assignment upon completion of the work. To qualify as "school-sponsored", the activity must be school-planned, school-directed, and supervised by an approved sponsor.

7. Mass exodus, early dismissal, or late arrival of all students, or any segment of students, will not be permitted for any reason except for emergencies such as inclement weather or other unavoidable situations, unless instruction time is made up in full.
8. Student attendance records will be given the same level of confidentiality as other student records. Only authorized school officials engaged in legitimate educational purposes may have access to student information without the express consent of the parent or guardian, if the student is a minor, or the student, if he or she has attained the age of eighteen (18).⁴
9. Foreign exchange students will be dealt with on a case-by-case basis by the principal.

ATTENDANCE HEARING¹⁴

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

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

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

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

Legal References:

1. TCA 49-6-3006
2. TCA 49-6-3017(c);
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. **Public Acts of 2026, Chapter No. 844**
10. TCA 49-6-3022
11. TCA 49-2-130
12. TCA 49-2-130(i)
13. TCA 49-2-203(b)(7); TCA 49-6-3002(b)
14. 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

Click here to choose a school board.

Monitoring: Review: Annually, in March	Descriptor Term: Attendance	Descriptor Code: 6.200	Issued Date:
		Rescinds:	Issued:

1 *General*

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

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

6 The Attendance Supervisor shall oversee the entire attendance program which shall include:¹

- 7 1. All accounting and reporting procedures and their dissemination;
8
9 2. Alternative program options for students who severely fail to meet minimum attendance
10 requirements;
11
12 3. Ensuring that all school age children attend school;
13
14 4. Providing documentation of enrollment status upon request for students applying for new or
15 reinstatement of driver's permit or license; and
16
17 5. Notifying the Department of Safety whenever a student with a driver's permit or license
18 withdraws from school.²

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

22 Absences shall be classified as either excused or unexcused as determined by the principal/designee.
23 Excused absences shall include:⁴

- 24 1. Personal illness/injury;
25
26 2. Illness of immediate family member;
27
28 3. Death in the family;
29
30 4. Extreme weather conditions;
31

5. Religious observances;⁵
6. Pregnancy;
7. School endorsed activities;
8. Summons, subpoena, or court order; or
9. Circumstances which in the judgment of the principal create emergencies over which the student has no control.

The principal shall be responsible for ensuring that:⁶

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

TRUANCY

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

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

*Progressive Truancy Plan*⁸

Tier I of the progressive truancy plan shall apply to all students within the district and include schoolwide prevention-oriented supports to assist with satisfactory attendance. These supports shall include, but are not limited to, **[insert local practices as to these schoolwide prevention-oriented supports]**.

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

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

Tier III shall be implemented if the truancy interventions under Tier II are unsuccessful. Tier III shall consist of the following interventions: [e.g., school-based community services; participation in a school-based restorative justice program; referral to a school-based teen court; Saturday or after-school courses designed to improve attendance and behavior]. The interventions shall address students' needs in an age-appropriate manner. Finalized plans shall be approved by the Director of Schools/designee.

Transfer Students and Truancy Tracking

The district shall request attendance records for students enrolling after the start of the school year from the previous public school district. Unexcused absences accumulated at a previous district for the current school year shall be factored into the student's placement on the truancy intervention plan tiers, if applicable.⁹

NON-SCHOOL SPONSORED EXTRACURRICULAR ACTIVITY¹⁰

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

1. Student's name and personal identification number;
2. Student's grade;

3. The dates of the student's absence;

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

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

RELEASED TIME COURSE¹¹

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

Students shall only be permitted to attend courses provided by entities that certify in writing that they have complied with the background check requirements outlined in state law.¹² The student shall submit a written consent form signed by the student's parent/guardian prior to participation in the released time course. The principal/designee shall document the approval in writing. The student shall provide documentation to the principal/designee as proof of the student's participation in the released time course.

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

[Include the following language if the Board wants to allow students to receive credit for these courses: Upon submission of the student's transcript from the entity that provided the released time course, the student may be awarded one (1) unit of elective credit. The Director of Schools shall develop procedures with secular criteria for determining whether credit shall be awarded.]

MAKE-UP WORK

[Insert local practices concerning make-up work.]

STATE-MANDATED ASSESSMENT

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

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

CREDIT/PROMOTION DENIAL

Credit/promotion denial determinations may include student attendance; however, student attendance may not be the sole criterion.¹³ If attendance is a factor prior to credit/promotion denial, the following shall occur:

1. The student and the parent(s)/guardian(s) shall be advised if the student is in danger of credit/promotion denial due to excessive absenteeism; and
2. Procedures in due process are available to the student when credit or promotion is denied.

DRIVER'S LICENSE REVOCATION²

A student who has more than ten (10) consecutive or fifteen (15) unexcused absences during any semester shall be ineligible to retain a driver's permit or license.

ATTENDANCE HEARING¹⁴

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

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

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

Legal References

1. [TCA 49-6-3006](#)
2. [TCA 49-6-3017\(c\)](#)
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. [Public Acts of 2026, Chapter No. 844](#)
10. [TCA 49-6-3022](#)
11. [TCA 49-2-130](#)
12. [TCA 49-2-130\(i\)](#)
13. [TCA 49-2-203\(b\)\(7\)](#); [TCA 49-6-3002\(b\)](#)
14. [TRR/MS 0520-01-02-.17\(7\)](#)

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Marshall County Board of Education

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

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

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

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

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

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

ABSENCES

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

Excused absences shall include:⁴

- I. Medical Excuses:** Students must provide valid documentation for absences which details accurate dates of illness (this includes doctors, dentists, and/or health care agencies). Upon returning to school, a student has three (3) school days in which to submit a note. After three (3) days, the absence(s) will become permanently unexcused.
- II. Personal Days:** Beginning with the 2020-2021 school year, students will be allowed three (3) excused personal days per semester. These days will cover the following types of absences; however, proper documentation must be presented to the office in order for the absence to be excused:
 1. Personal illnesses, serious family illness or family emergency – (a note from the student's parent/guardian or legal custodian will be required for the student's returning to school). The

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

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

3. Deaths

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

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

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

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

6. Pregnancy.

7. Extreme weather conditions.

8. School-endorsed activities.

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

Any absence without a note is automatically an unexcused absence.

The principal shall be responsible for ensuring that:⁶

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

NON-SCHOOL SPONSORED EXTRACURRICULAR ACTIVITY⁹

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

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

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

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

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

16 **TRUANCY**

17 *General*

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

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

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

32 *Progressive Truancy Plan⁸*

33 **Tier I**

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

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

Tier II

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

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

Tier III

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

STATE-MANDATED ASSESSMENT

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

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

DRIVER'S LICENSE REVOCATION²

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

CREDIT/PROMOTION DENIAL

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

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

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

The principal shall be responsible for ensuring that:⁷

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

TARDIES, EARLY DISMISSALS AND DETENTION

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

ELEMENTARY TARDY* POLICY

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

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

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

RULES AND PENALTIES

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

ATTENDANCE HEARING¹²

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

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

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

- 1 Following the review, the Board may affirm or overturn the decision of the Director of Schools/designee.
- 2 The action of the Board shall be final.
- 3 The Director of Schools/designee shall ensure that this policy is posted in each school building and
- 4 disseminated to all students, parents, teachers, and administrative staff.

5

Legal References:

1. TCA 49-6-3006
2. TCA 49-6-3017(c);
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: 07/20/26
		Rescinds: 6.303	Issued: 07/21/25

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

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 **or a school employee**
24 **designated by the Director of Schools** who has completed the state required orientation and training.^{2,3}
25 The following conditions shall apply to principal initiated searches:

- 26 1. All the following standards of reasonableness must be met:
 - 27 a) A particular student has violated policy;
 - 28 b) The search could be expected to yield evidence of the violation of school policy or disclosure of
29 a dangerous weapon or drug **paraphernalia**;
 - 30 c) The search is in pursuit of legitimate interests of the school in maintaining order, discipline,
31 safety, supervision and education of students;
 - 32 d) The primary purpose of the search is not to collect evidence for a criminal prosecution; and
 - 33 e) The search shall be reasonably related to the objectives of the search and not excessively intrusive
34 in light of the age and sex of the student, as well as the nature of the infraction alleged to have
35 been committed.⁴
 - 36 2. A school administrator shall be on-site at any principal-initiated search;
 - 37 3. A school administrator shall oversee the search and may end the search at any time; and
 - 38 4. If a student is under the age of eighteen (18), the principal must notify the student's parent or
39 guardian within a reasonable time of the search.⁷
- 40

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.

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

1. Seized and admitted as evidence in any hearing, trial, suspension or dismissal proceeding. It should be tagged for identification at the time it is seized and kept in a secure place by the principal or the principal's designee until it is presented at the hearing. At the discretion of the principal, the items seized may be returned to the parent or guardian of a student or, if it has no significant value, the item may be destroyed, but only with the express written permission of the director of schools.
2. Any seized item may be turned over to any law enforcement officer. Any dangerous weapon or drug as defined in TCA 49-6-4202 shall be turned over to an appropriate law enforcement official after completion of an administrative proceeding at which its presence is reasonably required.

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

1. Search any area of the school premises, any student or any motor vehicle on the school premises; or
2. Identify or dispose of anything found in the course of a search conducted in accordance with this policy.

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

Legal Reference:

1. TCA 49-6-4203-(b)
2. TCA 49-6-4204(a); TCA 49-6-4205(a)
3. TCA 49-6-4212; Public Acts of 2026, Chapter No. 1040
4. TCA 49-6-4205(b); Public Acts of 2026, Chapter No. 938
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)
7. TCA 49-6-4205(a)

Cross Reference:

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

Click here to choose a school board.

Monitoring: Review: Annually, in March	Descriptor Term: Questioning Students and Searches	Descriptor Code: 6.303	Issued Date:
		Rescinds:	Issued:

1 QUESTIONING BY SCHOOL PERSONNEL

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

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

9 INTERROGATIONS BY POLICE AT PRINCIPAL'S REQUEST

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

15 POLICE-INITIATED INTERROGATIONS

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

22 SEARCHES BY SCHOOL PERSONNEL

23 The school principal shall authorize all searches at the outset per state law.² All principal initiated
24 searches shall be conducted by a school security officer, or a school administrator or school employee
25 designated by the Director of Schools who has completed the state required orientation and training.^{2,3}
26 The following conditions shall apply to principal initiated searches:

- 27 1. All the following standards of reasonableness must be met:
- 28 a. A particular student has violated school policy;
- 29 b. The search will yield evidence of the violation of school policy or will lead to finding
30 dangerous weapons, drugs, or drug paraphernalia;

- c. The search is in pursuit of legitimate interests of the school in maintaining order, discipline, safety, supervision, and education;
- d. The search is not conducted for the sole purpose of discovering evidence to be used in criminal prosecution; and
- e. The search shall be reasonably related to the objectives of the search and not excessively intrusive considering the age and sex of the student (Sex shall be defined as the “immutable characteristics of the person’s reproductive system that identify the person as male or female, as determined by anatomy and genetics existing at the time of birth.”) as well as the nature of the alleged infraction;⁴

2. A school administrator shall be on-site at any principal-initiated search;

3. A school administrator shall oversee the search and may end the search at any time; and

4. If a student is under the age of eighteen (18), the principal must notify the student’s parent or guardian within a reasonable time of the search.⁷

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

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

Legal References

1. [TCA 49-6-4203\(b\)](#)
2. [TCA 49-6-4204\(a\); TCA 49-6-4205\(a\)](#)
3. [TCA 49-6-4212; Public Acts of 2026, Chapter No. 1040](#)
4. [TCA 49-6-4205\(b\); Public Acts of 2026, Chapter No. 938](#)
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 \(February 24, 2014\)](#)
7. [TCA 49-6-4205\(a\)](#)

Cross References

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: Interrogations and Searches	Descriptor Code: 6.303	Issued Date: 07/21/25
		Rescinds: 6.303	Issued: 01/11/21

INTERROGATIONS BY SCHOOL PERSONNEL

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

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

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

INTERROGATIONS BY POLICE (AT ADMINISTRATOR'S REQUEST)

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

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

POLICE-INITIATED INTERROGATIONS

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

SEARCHES BY SCHOOL PERSONNEL

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

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

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

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

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

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

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.

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: Interference/Disruption of School Activities	Descriptor Code: 6.306	Issued Date: 07/20/26
		Rescinds: 6.306	Issued: 12/13/21

1 General

2 A student shall not engage in conduct which causes the disruption or interference with the operation of
3 the school while on school property, in school vehicles or buses, or at school-sponsored events, whether
4 on or off campus.¹ The student shall not urge other students to engage in such conduct. Neither shall
5 he/she urge other students to engage in such conduct.

6 The staff is authorized to take reasonable measures to establish appropriate school behavior. Any
7 employee shall have the authority to control the conduct of any student while the students are under the
8 supervision of the school system. **This authority shall extend to all activities of the school, including all**
9 **games and public performances of athletic teams and other school groups, trips, excursions and all other**
10 **activities under school sponsorship and direction.**

11 Harassment, intimidation and other conduct that may be considered “bullying” will not be tolerated.
12 Students shall not engage in conduct that has the effect of unreasonably interfering with another student’s
13 academic development or that creates a hostile or offensive learning environment.

14 A student ~~found guilty of misbehavior~~ may receive punishment ranging from verbal reprimand to
15 suspension and/or expulsion dependent on the severity of the offense and the offender’s prior record.²

16 REMOVAL OF A STUDENT¹

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

21 The principal/designee will investigate the request and make a decision regarding the student’s
22 placement. The principal will notify the teacher as to his/her decision.

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

26 Appeal Process

27 If the teacher’s request for removal is denied, he/she may file an appeal with the Director of
28 Schools/designee. He/She will review the teacher’s request for removal as well as the decision of the
29 principal/designee and make a determination as to the student’s placement.

CLASSROOM EVACUATION

Some or all students may be removed from a classroom or instructional area due to violent, aggressive, or severely disruptive behavior of another student that creates a safety concern or substantially interrupts classroom instruction.³

Parental Notification

The principal/designee shall provide notification to the parent(s)/guardian(s) of each student in the classroom or instructional area at the time of the classroom evacuation. The notification shall be provided by the end of the day in which the classroom evacuation took place unless the event that prompted the evacuation is an ongoing emergency or is otherwise under investigation by state or local law enforcement.

Notification to the parent(s)/guardian(s) must include:³

1. The fact that a classroom evacuation occurred;
2. A brief description of the general nature of the incident sufficient to explain why the classroom evacuation occurred; and
3. Any steps taken by the school to ensure the continued safety and supervision of students.

Parental notification provided in compliance with the Family Education Rights and Privacy Act (FERPA) and other applicable privacy laws.⁴ No information shall be disclosed about the student whose conduct caused the classroom evacuation, or any other student, if the disclosure would violate privacy laws.

Recordkeeping

Each school shall maintain records of:

1. The date and time of the classroom evacuation;
2. The number of students evacuated;
3. The time and manner of parental notification; and
4. The staff member responsible for issuing parental notifications.

Legal References:

1. TCA 49-6-2804
2. TCA 49-6-3401
3. Public Acts of 2026, Chapter No. 850
4. 20 USCA & 1232g; TCA 10-7-504

Cross References:

Code of Conduct 6.300
Suspension 6.316
Safe Relocation of Students 6.4081

Click here to choose a school board.

Monitoring: Review: Annually, in March	Descriptor Term: Interference/Disruption of School Activities	Descriptor Code: 6.306	Issued Date:
		Rescinds:	Issued:

General

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

Employees are authorized to take reasonable measures to establish appropriate school behavior and have the authority to control the conduct of any student while under the supervision of the school district.¹

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

REMOVAL OF STUDENT¹

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

The principal/designee will investigate the request and make a decision regarding the student's placement. The principal will notify the teacher as to his/her decision.

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

Appeal Process

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

CLASSROOM EVACUATION

Some or all students may be removed from a classroom or instructional area due to violent, aggressive, or severely disruptive behavior of another student that creates a safety concern or substantially interrupts classroom instruction.³

Parental Notification

The principal/designee shall provide notification to the parent(s)/guardian(s) of each student in the classroom or instructional area at the time of the classroom evacuation. The notification shall be provided by the end of the day in which the classroom evacuation took place unless the event that prompted the evacuation is an ongoing emergency or is otherwise under investigation by state or local law enforcement.

Notification to the parent(s)/guardian(s) must include:³

1. The fact that a classroom evacuation occurred;
2. A brief description of the general nature of the incident sufficient to explain why the classroom evacuation occurred; and
3. Any steps taken by the school to ensure the continued safety and supervision of students.

Parental notification provided in compliance with the Family Education Rights and Privacy Act (FERPA) and other applicable privacy laws.⁴ No information shall be disclosed about the student whose conduct caused the classroom evacuation, or any other student, if the disclosure would violate privacy laws.

Recordkeeping

Each school shall maintain records of:

1. The date and time of the classroom evacuation;
2. The number of students evacuated;
3. The time and manner of parental notification; and
4. The staff member responsible for issuing parental notifications.

Legal References

1. [TCA 49-6-2804](#)
2. [TCA 49-6-3401](#)
3. [Public Acts of 2026, Chapter No. 850](#)
4. [20 USCA § 1232g; TCA 10-7-504](#)

Cross References

Code of Conduct 6.300
Suspension 6.316
Safe Relocation of Students 6.4081

Marshall County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Interference/Disruption of School Activities	Descriptor Code: 6.306	Issued Date: 12/13/21
		Rescinds: 6.306	Issued: 08/14/01

1 *General*

2 A student shall not engage in conduct which causes the disruption or interference with the operation of
3 the school while on school property, in school vehicles or buses, or at school-sponsored events, whether
4 on or off campus.¹ The student shall not urge other students to engage in such conduct. Neither shall
5 he/she urge other students to engage in such conduct.

6 The staff is authorized to take reasonable measures to establish appropriate school behavior. Any
7 employee shall have the authority to control the conduct of any student while the students are under the
8 supervision of the school system.¹

9 Harassment, intimidation and other conduct that may be considered “bullying” will not be tolerated.
10 Students shall not engage in conduct that has the effect of unreasonably interfering with another student’s
11 academic development or that creates a hostile or offensive learning environment.

12 A student found guilty of misbehavior may receive punishment ranging from verbal reprimand to
13 suspension and/or expulsion dependent on the severity of the offense and the offender’s prior record.²

14 **REMOVAL OF A STUDENT³**

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

19 The principal/designee will investigate the request and make a decision regarding the student’s
20 placement. The principal will notify the teacher as to his/her decision.

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

24 *Appeal Process*

25 If the teacher’s request for removal is denied, he/she may file an appeal with the Director of
26 Schools/designee. He/She will review the teacher’s request for removal as well as the decision of the
27 principal/designee and make a determination as to the student’s placement.

28

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Legal References:

1. TCA 49-6-4102
2. TCA 49-6-3401
3. TCA 49-6-2804

Cross References:

Code of Conduct 6.300
Suspension 6.316
Safe Relocation of Students 6.4081

Marshall County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Outside Applied Behavior Analysis Therapy	Descriptor Code: 6.4053	Issued Date: 07/20/26
		Rescinds:	Issued:

General

This policy applies to “private pay providers”, which include licensed behavior analysts, registered behavior technicians, and licensed assistant behavior analysts, who are under contract with parent(s)/guardian(s) of students with autism spectrum disorder or developmental delays.¹

Private pay providers shall adhere to the memorandum of understanding (“MOU”), board policies, and state and federal laws while assisting students on school property and/or at school functions. This includes adhering to student confidentiality laws for any student the private pay provider encounters. The school district shall require a background check and fingerprinting of all private pay providers.

A private pay provider accompanying a student on campus shall be responsible for attending to the ongoing needs of the student they are contracted to assist. The school district shall not request the private pay provider to provide services to any other students, staff, or visitors.

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

IEP TEAM COORDINATION

Private pay providers shall coordinate with the student’s IEP team by:

- Attending an onboarding session;
- Defining roles and communication channels;
- Conducting a review of relevant student records;
- Ensuring documentation is accurate and promptly provided to all parties; and
- Coordinating with the IEP team prior to each meeting.

TERMINATION OF SERVICES

Services of the private pay provider may be terminated for cause. Termination shall be based on violation of the terms of the MOU. If termination is necessary, the Assistant Director of Schools shall provide the parent/legal guardian with a letter outlining the reason for the termination.

1 APPEALS PROCESS

2 If a parent/legal guardian disagrees with the school district on the provision of services, a complaint
3 may be filed in writing with the Director of Schools. The Director shall appoint a panel to make a
4 decision on the appeal. The panel shall be composed of three individuals: a building level
5 administrator, a special education staff member, and one other school employee. The panel shall
6 review the complaint from the parent/legal guardian along with information provided by district staff
7 and make a determination on the matter within ten (10) business days.

Legal References

1. [Public Acts of 2026, Chapter No. 1112; 20 U.S.C. § 1401](#)

Monitoring: Review: Annually, in April	Descriptor Term: Outside Applied Behavior Analysis Therapy	Descriptor Code: 6.4053	Issued Date: draft
		Rescinds:	Issued:

1 *General*

2 This policy applies to “private pay providers”, which include licensed behavior analysts, registered
3 behavior technicians, and licensed assistant behavior analysts, who are under contract with
4 parent(s)/guardian(s) of students with autism spectrum disorder or developmental delays.¹

5 Private pay providers shall adhere to the memorandum of understanding (“MOU”), board policies, and
6 state and federal laws while assisting students on school property and/or at school functions. This
7 includes adhering to student confidentiality laws for any student the private pay provider encounters.
8 The school district shall require a background check and fingerprinting of all private pay providers.

9 A private pay provider accompanying a student on campus shall be responsible for attending to the
10 ongoing needs of the student they are contracted to assist. The school district shall not request the
11 private pay provider to provide services to any other students, staff, or visitors.

12 The Director of Schools shall develop administrative procedures to implement this policy.

13 **IEP TEAM COORDINATION**

14 Private pay providers shall coordinate with the student’s IEP team by:

- 15 • Attending an onboarding session;
- 16
- 17 • Defining roles and communication channels;
- 18
- 19 • Conducting a review of relevant student records;
- 20
- 21 • Ensuring documentation is accurate and promptly provided to all parties; and
- 22
- 23 • Coordinating with the IEP team prior to each meeting.

24 **TERMINATION OF SERVICES**

25 Services of the private pay provider may be terminated for cause. Termination shall be based on
26 violation of the terms of the MOU. If termination is necessary, the [insert title of employee] shall
27 provide the parent/legal guardian with a letter outlining the reason for the termination.

1 APPEALS PROCESS

2 **[Note: The Bord may insert an alternate appeal process.]**

3 If a parent/legal guardian disagrees with the school district on the provision of services, a complaint
4 may be filed in writing with the Director of Schools. The Director shall appoint a panel to make a
5 decision on the appeal. The panel shall be composed of three individuals: a building level
6 administrator, a special education staff member, and one other school employee. The panel shall
7 review the complaint from the parent/legal guardian along with information provided by district staff
8 and make a determination on the matter within ten (10) business days.

Legal References

1. [Public Acts of 2026, Chapter No. 1112; 20 U.S.C. § 1401](#)