

**Policy Committee Meeting**  
December 6, 2011 6:30 PM  
MCBOE - Policy Committee

1. **Call to Order**
2. **Standard School Attire**
3. **Promotion and Retention**
4. **Evaluation**
5. **Separation Practices for Non-Certified Employees**
6. **Home Schools**
7. **Student Discrimination/Harassment and Bullying/Intimidation**
8. **Cyber Bullying**
9. **Adjourn**

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Chairperson

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Superintendent

# Marshall County Board of Education

Monitoring:

Descriptor Term:

Descriptor Code:

Issued Date:

6.310

09/23/09

Review: **Annually,  
In April**

## Standard School Attire

Rescinds:

Issued:

6.310

11/09/06

The Board recognizes the effect which student dress and grooming have upon student behavior and commitment to learning. It further recognizes the role of parents in assisting their children in making appropriate choices regarding clothing, accessories, and personal appearance. In order to maintain an atmosphere conducive to learning and to prepare students for working environments, the Board shall require that all students, grades K-12, exercise good taste with regard to their personal appearance. Attire considered disruptive or risky to health or safety is not appropriate.

### DEFINITION OF STANDARD SCHOOL ATTIRE

#### Acceptable Attire in all Marshall County Schools

- A) Pants, shorts, Capri pants, skirts, skorts, jumpers and jeans in the colors of navy blue, black, any shade khaki.
- B) Shirts with short or long sleeves and a collar (polo, dress-style with button, crew or turtleneck), in the colors of the prospective school.
- C) All shirts should be properly buttoned and tucked inside pants, shorts, skorts or shirts.
- D) Students will wear clothing of appropriate size. Approximate sizes are defined as no more than one size smaller or one size larger than the student's actual clothing size.

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

In grades 7-12, school administrators are authorized to enforce the following dress code in a fair manner while applying common sense. **Students must follow the dress code for their building.**

#### **BOTTOM WEAR (waist & below)**

Bottom wear must be size appropriate (no sagging) and worn securely around the waist. No Spandex material will be allowed.

#### **Pants, shorts, Capri pants, skirts, skorts, jumpers**

- 1. Full-length pants, cropped pants, and straight-legged Capri pants are permitted. Pants, Capri pants, and shorts must be dress-style or casual dress-style (e.g. Dockers®) Pants must be straight-leg or boot cut.
- 2. Pants, shorts, skirts and skorts with elastic waistbands must be worn at the waist and do not require a belt.
- 3. Skirts, shorts or skorts must be no shorter than 4" above the top of the knee.

#### **TOP WEAR**

Shirts with short or long sleeves and a collar (polo, dress-style with button, or turtleneck), in the colors of the prospective school. All shirts should be properly buttoned and tucked inside pants, shorts, skorts or shirts.

#### **DRESSES**

- 1. Dresses with short or long sleeves and a collar (polo, dress-style or turtleneck) in the district- or school-approved solid colors are acceptable.
- 2. All blouses and shirts should be properly buttoned and tucked. Chests and midriffs must be covered.
- 3. Girls may wear dresses that are no shorter than 4" above the top of the knee.

<b>SHOES</b>	Shoes must be worn at all times. <b>Laces on shoes or sneakers must be tied. No house shoes are allowed.</b>
<b>ALL APPAREL</b>	<p>Clothing or personal item bearing reference to alcoholic beverages, tobacco products, drugs, drug-related slogans, and/or any other working, drawing, pictures, etc., which in any way can be interpreted as being suggestive, obscene, or offensive, such as a reference to death, the occult, Satanism, etc., is not permitted. “Gang” related slogans, names, apparel, etc., are not permitted in school or at any school-related activities.</p> <p>Students are to wear clothing in the manner it was designed to be worn – i.e. clothing worn backwards or inside out or suspenders undone – is not allowed.</p> <p>All clothing must be hemmed and must not have holes, rips, tears, or cuts.</p>
<b>HEADWEAR</b>	No hats, bandannas, hoods, sweatbands, curlers, rollers, or sunglasses will be worn in the building.
<b>JEWELRY/ ACCESSORIES</b>	Students are not to wear jewelry, ornaments or accessories such as excessively noisy jewelry and/or belts which distract from the educational process. No body-piercing jewelry is allowed except in the ears. No heavy metal chains (such as those made out of steel, chrome, alloy, etc.) and look-alikes that are not formal jewelry are allowed around the neck, around the waist, or hanging from the waist into the pocket. Students may not wear metal-spiked apparel or similar accessories.
<b>OTHER</b>	<p>Tattoos should be covered.</p> <p>Students are not to wear extreme facial makeup that is disruptive to the educational environment.</p> <p>All students are required to wear their hair in such a manner that is not considered unkempt, unclean, or impairing to vision. Students are not to have the following: hair sprayed or dyed in unnatural colors (such as blue, pink, green, yellow), or spiked hair.</p>
<b>ATTIRE FOR SPECIAL OCCASIONS</b>	<ol style="list-style-type: none"> <li>1. <b>The principals of individual schools may allow exceptions to the Standard School Attire policy for school wide activities. Such exceptions would include a particular mode of attire for special occasion days such as School Spirit Week or for particular school-sponsored or school-related activities during the course of the school day.</b></li> <li>2. <b>In addition, principals will have the authority to approve occasional variations from Standard School Attire for particular groups of students. For example, athletic team members or cheerleaders may wear their sports-top layered over a collared or turtleneck shirt. Such attire will be tucked in at the waist whenever practical as determined by the principal. Standard Attire pants, shorts, skirts, Capri pants or skorts must be worn at all times.</b></li> </ol>
<b>SPECIAL SITUATIONS</b>	If a student cannot comply with the standardized dress code based on religious beliefs, his/her parent or guardian may write a letter explaining the situation to the director of schools, with a copy to the school principal. Each case will be dealt with on an individual basis.

**STUDENTS DRESSED INAPPROPRIATELY WILL BE SUBJECT TO DISCIPLINARY  
CONSEQUENCES AS OUTLINED IN BOARD POLICY**

*Alternative School*

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

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

# Marshall County Board of Education

Monitoring: <b>Review: Annually, in November</b>	Descriptor Term:  <b>Promotion and Retention</b>	Descriptor Code: <b>4.603</b>	Issued Date: <b>07/11/11</b>
		Rescinds: <b>4.603</b>	Issued: <b>03/11/10</b>

1 Students will normally progress annually in sequential order from grade to grade. The professional staff  
2 cannot socially promote a student until all documented opportunity for the student to make one-year  
3 gain has been implemented. The professional staff may place students at the grade level best suited to  
4 them academically, socially and emotionally after documented opportunity for help has been submitted.  
5 Retentions may be made when, in the judgment of the teacher, such retentions are in the best interest of  
6 the students. Decisions to retain are subject to review and approval of the principal after consultation  
7 with the teacher. See TSBA policy for additions  
8

9 In order to enhance the opportunity for remediation, students with problems shall be identified as early  
10 as possible in the school year. Parents shall be notified when problems are identified and shall be in-  
11 formed periodically of remedial efforts and given progress reports.  
12

13 Before a student is retained, the parents shall be informed in writing and shall be requested to participate  
14 in a conference at least six (6) weeks before the end of the school year.  
15

16 The following factors shall be considered in making a decision on promotion and retention:<sup>1</sup>  
17

- 18 1. ***Mastery of essential competencies.*** Students shall have mastered essential skills sufficiently to  
19 ensure a likelihood of success at the next grade level.  
20
- 21 2. ***Special procedures for special students.*** Students who have been identified as having special  
22 problems, including high risk students and others with special needs, shall be given special con-  
23 sideration. Placement of students with IEPs shall be determined by the IEP-Team.  
24
- 25 3. ***Flexible placement.*** Use of conditional promotion, remedial summer programs, assignment to  
26 transitional classes, and other approaches to meeting the needs of students shall be given con-  
27 sideration.  
28
- 29 4. ***Attendance.*** Attendance shall become a relevant factor only when excessive absenteeism becomes  
30 an educational problem.<sup>2</sup>  
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- 32 5. ***Conduct.*** Retention shall not be used as a disciplinary measure.  
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- 34 6. ***Previous retention.*** Except under unusual circumstances, students shall not be retained more  
35 than once in the same grade.  
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- 37 7. ***Grade level.*** Retention shall be considered more appropriate in grades K-3.  
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Once the decision to retain has been made:

1. A report of each student retained shall be made to the director of schools;
2. Documentation verifying student deficiencies shall be placed in the student’s record;
3. Parents shall have the right to appeal any decision through appeal procedures established by board policy; and
4. The teacher shall be consulted at each level of the appeal procedure.

Educational experiences for the repeated year shall be varied in order to provide an appropriate instructional program. Variations may include, but are not limited to, the following:

1. different teacher(s);
2. different techniques and strategies;
3. different materials; and
4. varying lengths of time per subject and/or physical setting in classroom.

For the purpose of determining the effectiveness of retention toward improving student achievement, the progress of retained students shall be monitored for at least three (3) years.

ELL students must not be retained in grade level because of their language skills.

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Legal References:

1. TCA 49-2-203(b)(7); TCA 49-6-3002
2. TRR/MS 49-2-203(b)(7); TCA 49-6-3002

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Cross References:

- Grading System 4.600  
Reporting Student Progress 4.601  
Attendance 6.200

# Tennessee School Boards Association

Monitoring:

Review: Annually,  
in November

Descriptor Term:

## Promotion and Retention

Descriptor Code:

4.603

Issued Date:

Rescinds:

Issued:

1 Students will normally progress annually in sequential order from grade to grade. The professional  
2 staff will place students at the grade level best suited to them academically, socially and emotionally.  
3 Retentions may be made when, in the judgment of the teacher, such retentions are in the best interest of  
4 the students. Decisions to retain are subject to review and approval of the principal after consultation  
5 with the teacher. However, no student enrolled in the third grade shall be promoted unless the student  
6 has shown a basic understanding of curriculum and ability to perform the skills required in the subject  
7 of reading as demonstrated by the student's grades or standardized test results. This requirement shall  
8 not apply to students who are participating in a Board approved research-based intervention prior to the  
9 beginning of the next school year or to students who have IEPs pursuant to 20 U.S. C. § 1400 et seq.<sup>1</sup>

10  
11 The director shall report, at least annually, on any intervention programs available to students in the  
12 third grade and recommend any new programs or the modification of any existing programs to better  
13 serve these students.

14  
15 In order to enhance the opportunity for remediation, students with problems shall be identified as early  
16 as possible in the school year. Parents shall be notified when problems are identified and shall be in-  
17 formed periodically of remedial efforts and given progress reports.

18  
19 Before a student is retained, the parents shall be informed in writing and shall be requested to participate  
20 in a conference at least six (6) weeks before the end of the school year.

21  
22 The following factors shall be considered in making a decision on promotion and retention:<sup>2</sup>

- 23  
24 1. *Mastery of essential competencies.* Students shall have mastered essential skills sufficiently to  
25 ensure a likelihood of success at the next grade level.
- 26  
27 2. *Special procedures for special students.* Students who have been identified as having special  
28 problems, including high risk students and others with special needs, shall be given special con-  
29 sideration. Placement of students with IEPs shall be determined by the IEP-Team.
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31 3. *Flexible placement.* Use of conditional promotion, remedial summer programs, assignment to  
32 transitional classes, and other approaches to meeting the needs of students shall be given con-  
33 sideration.
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35 4. *Attendance.* Attendance shall become a relevant factor only when excessive absenteeism becomes  
36 an educational problem.<sup>3</sup>
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38 5. *Conduct.* Retention shall not be used as a disciplinary measure.
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40 6. *Previous retention.* Except under unusual circumstances, students shall not be retained more  
41 than once in the same grade.
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*Promotion and Retention*

1  
2 7. *Grade level.* Retention shall be considered more appropriate in grades K-3.  
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5 Once the decision to retain has been made:

- 6  
7 1. A report of each student retained shall be made to the director of schools;  
8  
9 2. Documentation verifying student deficiencies shall be placed in the student's record;  
10  
11 3. Parents shall have the right to appeal any decision through appeal procedures established by  
12 board policy; and  
13  
14 4. The teacher shall be consulted at each level of the appeal procedure.

15  
16 Educational experiences for the repeated year shall be varied in order to provide an appropriate  
17 instructional program. Variations may include, but are not limited to, the following:  
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- 19 1. different teacher(s);  
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21 2. different techniques and strategies;  
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23 3. different materials; and  
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25 4. varying lengths of time per subject and/or physical setting in classroom.

26  
27 For the purpose of determining the effectiveness of retention toward improving student achievement,  
28 the progress of retained students shall be monitored for at least three (3) years.  
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39 Legal References:

- 40  
41 1. Tenn. Code Ann. § 49-6-3115  
42 2. TRR/MS 0520-1-3-.05(3)(b)  
43 2. Tenn. Code Ann. §§ 49-2-203(b)(7) and 49-6-3002  
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Cross References:

Grading System 4.600  
Reporting Student Progress 4.601  
Attendance 6.200

# Marshall County Board of Education

Monitoring: <b>Review: Annually, in February</b>	Descriptor Term: <b>Evaluation</b>	Descriptor Code: <b>5.109</b>	Issued Date: <b>08/14/01</b>
		Rescinds: <b>5.109</b>	Issued: <b>09/12/00</b>

## PROFESSIONAL PERSONNEL

The Board shall use the Framework for Evaluation and Professional Growth approved by the State Board of Education.<sup>1</sup>

The Framework consists of two components. Comprehensive Assessment is the required component for Apprentice and Professionally Licensed Teachers. Focused Assessment is an option to some Professionally Licensed Teachers, depending upon past performance and identified areas for growth.

All teachers shall be evaluated at least as often as this policy mandates. Principals may choose to evaluate teachers at more regular intervals.

The principal shall ensure that each teacher in his/her school is evaluated at least the required number of times and is responsible for conducting the evaluations according to the prescribed steps as defined by the Framework for Evaluation and Professional Growth. The principal must be trained in the components and procedures of the Framework for Evaluation and Professional Growth by the State Department of Education. The principal may designate a certified employee who has been trained in the evaluation procedures to assist in the evaluation.

If a teacher is assigned to teach in an area for which the teacher is not endorsed, any evaluation conducted for the course outside the area of endorsement shall relate only to the improvement of teaching skills and strategies and not as a determination of competency.

In addition to following all steps, processes, and procedures as defined by the Framework for Evaluation and Professional Growth, the Board will require the following:

**\*First and Second Year Apprentice Teachers** shall have one (1) evaluation which consists of three (3) observations. The Comprehensive Component requires the evaluator to identify in each lesson observed areas of strength as well as areas to strengthen or areas for growth. Suggestions for improvement will be provided by the teacher and/or the evaluator. It shall be the responsibility of the principal to appoint two (2) tenured teachers to assist in the growth of each identified area.

**\*Third year Apprentice Teachers** shall have one (1) evaluation which consists of two (2) observations.

**\*Tenured teachers and those non-tenured teachers who hold a professional license** are required to have one evaluation which consists of two (2) observations at least twice during the ten year life of the professional license. Evaluation shall take place during the fourth or fifth year and again in the ninth or tenth year.

**\*Teachers who hold an out-of-state temporary license, a permit, or an interim license** will be treated the same as a first and second year apprentice teacher.

1 The comprehensive component requires the evaluator to identify in each lesson observed areas to  
 2 strengthen or areas for growth. Suggestions for improvement will be provided by the teacher and/or the  
 3 evaluator. It shall be the responsibility of the principal to appoint two (2) tenured teachers to assist in the  
 4 growth of each identified area. The principal shall complete all prescribed steps to gather data regarding  
 5 the teacher's performance and using the Comprehensive Assessment Rubrics and Scoring Criteria pro-  
 6 vided make a recommendation regarding further employment. The director shall consider the principal's  
 7 data and recommendation.

8  
 9 If a principal determines that a first or second year apprentice or non-tenured teacher has a problem which  
 10 justifies the use of an outside evaluator, he may submit a request for assistance to the director. The director  
 11 will determine whether to send an evaluator within the school system or to request assistance from the  
 12 State Certification Commission. The Comprehensive Assessment for Second year Apprentice Teachers  
 13 and other teachers eligible for tenure upon rehire must be completed by **March 1**.

14  
 15 The principal will use the Comprehensive Assessment Rubrics and Scoring Criteria to determine a  
 16 recommendation of advancement to a professional license. These must be completed by **March 1**.

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 18 Tenured teachers shall be evaluated using the comprehensive Assessment Component or may be given  
 19 the option to engage in the focused Assessment component, if the principal determines eligibility based  
 20 on previous evaluations and performance. If comprehensive Assessment is used, the required number of  
 21 classroom observations is two. **If Focused Assessment is used, the Action Plan must be completed**  
 22 **within two school years. Under this plan, if a principal feels the need to conduct classroom**  
 23 **observations, it is within his/her discretion to do so.**

24  
 25 \*Observations may be announced or unannounced as decided by the principal.

26  
 27 \*All classroom observations must adhere to the minimum times:

28	Elementary--Grades K-5	30 minutes	
29	Middle School--Grades 6-8	class period	Block Schedulers--90 minutes
30	High School--Grades 9-12	class period	Block Schedulers--90 minutes
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33 \*The requirement of lesson plans is left to the discretion of the evaluator.

34  
 35 \*Informal or drop-in visits are encouraged on a regular basis.

### 36 37 *Evaluation of Immediate Family Prohibited*

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 39 In all situations in which a principal or other administrator directly supervises a member of his or her  
 40 immediate family, a supervisor, the assistant principal, or an evaluator designated by the director shall  
 41 conduct that family member's evaluations. Immediate family shall be defined as a spouse, parent,  
 42 grandparent, child, grandchild, brother, sister, mother-in-law, father-in-law, daughter-in-law, son-in-law,  
 43 brother-in-law, or sister-in-law.

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**SUPPORT PERSONNEL**

***Evaluation Forms***

The Board shall approve standard forms to be used in evaluating support personnel.

***Evaluation Frequency***

During the first year of employment, each employee shall be evaluated during the probationary period and at least one (1) additional time following successful completion of the probationary period.

Employees employed for more than one (1) year shall be evaluated at least once each year.

***Utilization of Evaluation***

Evaluations shall be used to inform employees of their performance, as an aid in improving performance, and as a basis for continuing employment. Evaluation reports shall be discussed with the evaluated employee. Each employee shall be given a copy of the evaluation and shall sign the supervisor's copy as evidence it has been discussed.

Legal References:

- 1. TCA 49-5-5101 et. seq.

Cross References:

Orientation and Probation 5.107

# Tennessee School Boards Association

Monitoring:  <b>Review: Annually, in February</b>	Descriptor Term:  <b>Evaluation</b>	Descriptor Code: <b>5.109</b>	Issued Date:
		Rescinds:	Issued:

1 The evaluation of performance and its effectiveness must be a cooperative and shared endeavor on the  
2 part of the director of schools and administrative and supervisory personnel.

3  
4 The Board shall use a state-approved model for evaluating administrative and supervisory personnel and  
5 shall approve standard forms to be used in evaluating support personnel.

6  
7 The director of schools is responsible for ensuring that all administrative and supervisory personnel are  
8 evaluated annually.

## 9 10 **LICENSED TEACHING PERSONNEL**

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12 The Board adopts the \_\_\_\_\_ evaluation model. The director shall draft procedures to ensure that the  
13 model is implemented throughout the school system. Additionally, the director shall provide information  
14 to all licensed teaching personnel regarding the nature of the evaluation and the grievance procedures  
15 prescribed by the Tennessee State Board of Education.<sup>1,2</sup>

16  
17 ~~If the state-approved model is not used, the Board shall submit to the Commissioner of Education for~~  
18 ~~approval, an evaluation plan with implementation procedures, validation procedures and training plans.~~  
19 ~~The evaluation plan shall be reviewed at least annually for improvement and revision. All changes in~~  
20 ~~the evaluation system shall be submitted by July 1 prior to the proposed implementation year.~~

21  
22 ~~The Board shall annually submit for state review and approval, the evaluations and recommendations of~~  
23 ~~all apprentice teachers who are in their **final** apprentice year.<sup>2</sup> Evaluation deadlines for first and second~~  
24 ~~year apprentice teachers and professionally licensed teachers shall be *(determined by Board)*.<sup>3</sup>~~

25  
26 ~~Teachers shall be evaluated for the following purposes:~~

- 27  
28 ~~1. Accountability - to assure that evaluation considers the effectiveness in the classroom and in~~  
29 ~~the school.~~  
30 ~~2. Professional Growth - to provide a focus for professional growth in an area(s) which has the~~  
31 ~~greatest capacity for facilitating student performance.~~  
32 ~~3. Cohesive School Structure - to increase and focus the dialogue within schools on the goal(s)~~  
33 ~~of improved services to students.<sup>4</sup>~~

34  
35 ~~Evaluations will be conducted by a school administrator and/or designee(s). All evaluators shall be~~  
36 ~~trained and certified through state-sanctioned training in the evaluation procedures before conducting~~  
37 ~~evaluations. The principal shall be responsible for the final evaluation decision.<sup>4</sup>~~

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39 ~~Evaluations shall use multiple data sources which include but are not limited to:~~

- 40  
41 ~~\_\_\_\_\_ 1. Classroom or position observations including planning and reflecting information and/or \_\_\_\_\_~~

- 1 ~~— review;~~
- 2 ~~— 2. Review of previous evaluations and an educator self-assessment;~~
- 3 ~~— 3. Conferences;~~
- 4 ~~— 4. Examination of professional growth;~~
- 5 ~~— 5. Review of indicators of student progress; and~~
- 6 ~~— 6. Examination of assessment techniques, results and applications;~~

7

8 ~~As part of the evaluation process, a growth plan shall be developed for all teachers. The plan shall be~~  
 9 ~~developed collaboratively by the teacher and the immediate supervisor and/or principal. The plan shall~~  
 10 ~~include identified area(s) for growth, action plan, and progress reporting procedures.<sup>4</sup>~~

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12 **Local Level Grievance Procedure**

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14 The director of schools shall develop procedures, consistent with State law, for processing evaluation  
 15 grievances.<sup>3</sup>

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17 **NON-LICENSED PERSONNEL**

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19 Newly hired non-licensed administrative/support personnel shall be evaluated once during the evalua-  
 20 tion period (up to 90 days) and at least one (1) additional time following successful completion of the  
 21 evaluation period during the first year of employment. Support personnel employed for more than one  
 22 (1) year shall be evaluated at least once a year.

23

24 Evaluations shall be used as an aid in improving an employee's performance and as a basis for continuing  
 25 employment. Evaluation reports shall be discussed with the evaluated employee. Each employee shall be  
 26 given a copy of the evaluation and shall sign the supervisor's copy as evidence it has been discussed.

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43 Legal References:

- 44 1. TRR/MS 0520-2-1-01
- 45 2. TRR/MS 0520-2-1-032
- 46 3. TRR/MS 0520-2-1-02 (1)(c) Tennessee State Board of Education Teacher and Principal Evaluation Policy
- 47 4. TRR/MS 0520-2-1-02

42

43 Cross References:

- 44 Job Descriptions 5.103
- 45 Orientation and Probation 5.107

# Marshall County Board of Education

Monitoring: <b>Review: Annually, in February</b>	Descriptor Term: <b>Separation Practices for Non-Certified Employees</b>	Descriptor Code: <b>5.202</b>	Issued Date: <b>11/13/08</b>
		Rescinds: 5.200/5.203/ 5.204	Issued: <b>11/08/01 08/14/01 12/14/99</b>

## SUSPENSION

A director of schools/designee may suspend an employee at any time when deemed necessary.<sup>1</sup> Before an employee is suspended s/he shall be: (1) provided with reasons for the suspension; (2) given an opportunity to respond; and (3) given a written decision of the suspension.

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

## DISMISSAL

~~The director of schools may dismiss any non-certified employee during the contract year for incompetence, inefficiency, insubordination, improper conduct or neglect of duty.~~ See TSBA policy for change

~~The director of schools shall provide the employee with written notice of the charge or charges against them and a pre-termination hearing before the director or the director's designee.~~

## RESIGNATION

Support personnel shall give the immediate supervisor written notice of resignation at least two (2) weeks (ten (10) working days) in advance of the effective date of voluntary termination. The ten (10) working days may be waived by the director of schools for justifiable reason.

The immediate supervisor shall forward copies the day received to the director of schools' office. The payroll office will prepare final payment for the next appropriate scheduled pay day.

## 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.

Employees 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 employee to provide verification of eligibility in writing from TCRS to the central office. It shall be the responsibility of the retiring employee to file for benefits.

Employees who retire under TCRS may be employed up to one hundred twenty (120) days per year without loss of retirement benefits.

Legal Reference:

1. TCA 49-2-301 (b)(1)(EE)(FF)

# Tennessee School Boards Association

Monitoring:  Review: Annually, in February	Descriptor Term:  <b>Separation Practices for Non-Certified Employees</b>	Descriptor Code: <b>5.202</b>	Issued Date:
		Rescinds:	Issued:

## SUSPENSION

A director of schools/designee may suspend an employee at any time when deemed necessary.<sup>1</sup> Before an employee is suspended s/he shall be: (1) provided with reasons for the suspension; (2) given an opportunity to respond; and (3) given a written decision of the suspension.

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

## DISMISSAL

All non-certified (classified) employees are employed at the will of the director. The director of schools may dismiss any non-certified employee during the contract year for any reason.

## RESIGNATION

Support personnel shall give the immediate supervisor written notice of resignation at least two (2) weeks (ten (10) working days) in advance of the effective date of voluntary termination. The ten (10) working days may be waived by the director of schools for justifiable reason.

The immediate supervisor shall forward copies the day received to the director of schools' office. The payroll office will prepare final payment for the next appropriate scheduled pay day.

## 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.

Employees 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 employee to provide verification of eligibility in writing from TCRS to the central office. It shall be the responsibility of the retiring employee to file for benefits.

Employees who retire under TCRS may be employed up to one-hundred-twenty (120) days per year without loss of retirement benefits.

### Legal Reference:

1. TCA 49-2-301 (b)(1)(EE)(FF)

# Marshall County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Home Schools</b>	Descriptor Code: <b>6.202</b>	Issued Date: <b>02/08/00</b>
		Rescinds: <b>JBAA</b>	Issued: <b>01/13/94</b>

See TSBA policy for addition

A parent wishing to conduct a home school shall meet the following requirements<sup>1</sup>:

1. Provide notice to the director of schools by August 1 before the commencement of each school year of the intent to conduct a home school;
2. Submit to the director of schools the name, number, age, grade level of children involved, location of the school, curriculum to be offered, proposed hours of instruction, qualifications of the parent/teacher, whether a college preparatory or general course of education will be taught in grades 9-12, and a description of the courses to be taught each year;
3. Maintain attendance records, subject to inspection of the local director of schools;
4. Submit attendance records to the director of schools at the end of each school year;
5. Provide instruction for at least four (4) hours per day for the same number of instructional days as are required by state law for public schools;
6. Possess a high school diploma or GED in order to conduct classes in grades K-8 and possess at least a baccalaureate degree in order to conduct classes in grades 9-12, or hold proper State Department of Education exemption;
7. Cooperate in the administration of appropriate tests as required by the Commissioner of Education, his/her designee or by a professional testing service;
8. Take action according to state law if home school student falls behind appropriate grade level;
9. Submit proof to the director of schools that the home school student has been vaccinated as required by law;
10. Submit proof to the director of schools that other health services and examinations as required by law have been received by the home school student; and
11. In the event of illness or inadequacy of the home school parent-teacher to teach a specific subject, employ a tutor having the same qualifications as required of parent/teacher.

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

See TSBA policy for additions

1 The director of schools, through the attendance supervisor, shall have the attendance records of the home  
2 school inspected at least two (2) times each school year in order to provide assistance in implementing  
3 the Compulsory Attendance Law.  
4

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

- 42 1. TCA 49-6-3050  
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# Tennessee School Boards Association

Monitoring:  <b>Review: Annually, in April</b>	Descriptor Term:  <b>Home Schools</b>	Descriptor Code: <b>6.202</b>	Issued Date:
		Rescinds:	Issued:

1 A "home school" is a school conducted or directed by a parent or parents or legal guardian or guard-  
2 ians for their own children. Home schools which teach K-12 where the parents are associated with an  
3 organization that conducts church-related schools (as defined by §49-50-801) which are supervised by  
4 such organization and which administer standardized achievement tests at the same time tests are given  
5 in their regular day schools are exempt from the following provisions, but must follow procedures is-  
6 sued by the State Department of Education.<sup>1</sup>

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

- 9  
10 1. Provide annual notice to the director of schools before the commencement of each school year  
11 of the intent to conduct a home school;
- 12  
13 2. Submit to the director of schools the name, number, age, grade level of children involved, lo-  
14 cation of the school, curriculum to be offered, proposed hours of instruction, qualifications of  
15 the parent/teacher, whether a college preparatory or general course of education will be taught  
16 in grades 9-12, and a description of the courses to be taught each year;
- 17  
18 3. Maintain attendance records, subject to inspection of the local director of schools;
- 19  
20 4. Submit attendance records to the director of schools at the end of each school year;
- 21  
22 5. Provide instruction for at least four (4) hours per day for the same number of instructional days  
23 as are required by state law for public schools;
- 24  
25 6. Possess a high school diploma or GED in order to conduct classes;
- 26  
27 7. Cooperate in the administration to home school students of appropriate tests by the Commis-  
28 sioner of Education, his/her designee or by a professional testing service;
- 29  
30 8. Take action according to state law if home school student falls behind appropriate grade  
31 level;
- 32  
33 9. Submit proof to the director of schools that the home school student has been vaccinated as  
34 required by law;
- 35  
36 10. Submit proof to the director of schools that other health services and examinations as required  
37 by law have been received by the home school student; and
- 38  
39 11. In the event of illness or inadequacy of the home school parent-teacher to teach a specific  
40 subject, employ a tutor having the same qualifications as required of parent/teacher.
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2 If one or more of these requirements are not met, the Board authorizes the director of schools to take  
3 formal action to bring the child into compliance with the compulsory attendance law (until the child has  
4 reached age 17), either in the home school or in a public, private or church-related school.  
5

6 It shall be the policy of this Board that public school facilities shall be available for home school in-  
7 struction only when *all* of the following conditions exist:

- 8  
9 1. Special needs courses are being taught which require services unavailable to the home school  
10 student;
- 11  
12 2. These services cannot be provided through any means other than the public schools;
- 13  
14 3. Requests for services are made known by the home school parent when notice is given to the  
15 director of schools of the intent to conduct a home school;
- 16  
17 4. The director of schools investigates request and make recommendations to the Board;
- 18  
19 5. No overcrowding, additional expenses, including providing transportation, or other special situ-  
20 ations which interfere with the normal operation of the school system shall be incurred; and  
21
- 22 6. Approval by the Board on a case-by-case basis.  
23

24 The director of schools, through the attendance supervisor, shall have the attendance records of the home  
25 school inspected at least two (2) times each school year in order to provide assistance in implementing  
26 the Compulsory Attendance Law.  
27

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

- 43 1. TCA 49-6-3050  
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# Marshall County Board of Education

Monitoring: <b>Review: Annually, in April</b>	Descriptor Term: <b>Student Discrimination/Harassment and Bullying/Intimidation</b>	Descriptor Code: <b>6.304</b>	Issued Date: <b>11/13/08</b>
		Rescinds: <b>6.304</b>	Issued: <b>01/12/06</b>

## 1 **Discrimination/Harassment (Sexual, Racial, Ethnic, Religious)**

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

8  
9 Student discrimination/harassment will not be tolerated.<sup>2</sup> Discrimination/harassment is defined as con-  
10 duct, advances, gestures or words either written or spoken of a sexual, racial, ethnic or religious nature  
11 which:

- 12
- 13 1. Unreasonably interfere with the student's work or educational opportunities; or
- 14 2. Create an intimidating, hostile or offensive learning environment; or
- 15 3. Imply that submission to such conduct is made an explicit or implicit term of receiving grades  
16 or credit; or
- 17 4. Imply that submission to or rejection of such conduct will be used as a basis for determining  
18 the student's grades and/or participation in a student activity.
- 19

## 20 **Bullying/Intimidation**

21  
22 Students shall be provided a safe learning environment. It shall be a violation of this policy for any student  
23 to bully, intimidate or create a hostile educational environment for another student. ~~Bullying and intima-~~  
24 ~~tion are defined as either physically harming a student or damaging his/her property, or knowingly placing~~  
25 ~~the student in reasonable fear of such, or creating a hostile educational environment. The policy addresses~~  
26 ~~conduct taking place on school grounds, at any school-sponsored activity, on school-provided transportation,~~  
27 ~~or at any official school bus stop immediately before boarding and immediately following debarking.~~<sup>3</sup>  
28 See TSBA policy for changes

29 Alleged victims of the above-referenced offenses shall report these incidents immediately to a teacher,  
30 counselor or building administrator.<sup>4</sup> Any allegations shall be fully investigated by a complaint manager  
31 (as set forth in *Student Concerns, Complaints and Grievances 6.305*).

32  
33 The privacy and anonymity of all parties and witnesses to complaints will be respected. However,  
34 because an individual's need for confidentiality must be balanced with obligations to cooperate with  
35 police investigations or legal proceedings, to provide due process to the accused, to conduct a thorough  
36 investigation or to take necessary action to resolve a complaint, the identity of parties and witnesses  
37 may be disclosed in appropriate circumstances to individuals with a need to know.

38  
39 A substantiated charge against an employee shall result in disciplinary action up to and including ter-  
40 mination. A substantiated charge against a student may result in corrective or disciplinary action up to  
41 and including suspension.

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

~~An employee disciplined for violation of this policy may appeal the decision by contacting one of the complaint managers appointed by See TSBA policy for changes any student disciplined for violation of this policy may appeal the decision in accordance with disciplinary policies and procedures.~~

This policy shall be published in the parent/student handbook distributed annually to every student.

Building administrators are responsible for educating and training their respective staff and students as to the definition and recognition of discrimination/harassment.

Coaches and other employees of the school district shall not encourage, permit, condone or tolerate hazing activities.<sup>5</sup>

Legal References:

- 1. TCA 49-6-3109
- 2. Title VII; 29 CFR §1604.11;  
*Davis v. Monroe County Board of Education*, No. 97-843  
(U.S. Sup. Ct. May 24, 1999)
- 3. TCA 49-6-1014-1019
- 4. Title IX (20 U.S.C. §§ 1681-1686)
- 5. TCA 49-2-120

Cross References:

- Appeals To & Appearances Before the Board 1.404
- Staff-Student Relations 5.610
- Student Complaints and Grievances 6.305

# Tennessee School Boards Association

Monitoring: Review: Annually, in April	Descriptor Term: <b>Student Discrimination/Harassment and Bullying/Intimidation</b>	Descriptor Code: <b>6.304</b>	Issued Date:
		Rescinds:	Issued:

1 **Discrimination/Harassment (Sexual, Racial, Ethnic, Religious)**

2

3 Students shall be provided a learning environment free from sexual, racial, ethnic and religious  
4 discrimination/harassment.<sup>1</sup> It shall be a violation of this policy for any employee or any student to  
5 discriminate against or harass a student through disparaging conduct or communication that is sexual,  
6 racial, ethnic or religious in nature. The following guidelines are set forth to protect students from  
7 discrimination/harassment.

8

9 Student discrimination/harassment will not be tolerated.<sup>2</sup> Discrimination/harassment is defined as con-  
10 duct, advances, gestures or words either written or spoken of a sexual, racial, ethnic or religious nature  
11 which:

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- 13 1. Unreasonably interfere with the student's work or educational opportunities; or
- 14 2. Create an intimidating, hostile or offensive learning environment; or
- 15 3. Imply that submission to such conduct is made an explicit or implicit term of receiving grades  
16 or credit; or
- 17 4. Imply that submission to or rejection of such conduct will be used as a basis for determining  
18 the student's grades and/or participation in a student activity.

19

20 **Bullying/Intimidation**

21

22 Students shall be provided a safe learning environment. It shall be a violation of this policy for any student  
23 to bully, intimidate or create a hostile educational environment for another student. Harassment, bullying  
24 and intimidation occurs, if the act takes place on school grounds, at any school-sponsored activity, on  
25 school-provided equipment or transportation or at any official school bus stop, if the act either physically  
26 harms a student or damages his/her property, or knowingly places the student in reasonable fear of such,  
27 causes emotional distress to a student or students, or creates a hostile educational environment. If the act  
28 takes place off school property or outside of a school-sponsored activity, an act of harassment, bullying or  
29 intimidation occurs if the act is directed specifically at a student or students and has the effect of creating  
30 a hostile educational environment or otherwise creating a substantial disruption to the education environ-  
31 ment or learning process. These acts may also take place through electronic means.<sup>3</sup>

32

33 Alleged victims of the above-referenced offenses shall report these incidents immediately to a teacher,  
34 counselor or building administrator.<sup>4</sup> Any allegations shall be fully investigated by a complaint manager  
35 (as set forth in *Student Concerns, Complaints and Grievances 6.305*).

36

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

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

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

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

This policy shall be published in the parent/student handbook distributed annually to every student.

Building administrators are responsible for educating and training their respective staff and students as to the definition and recognition of discrimination/harassment.

Coaches and other employees of the school district shall not encourage, permit, condone or tolerate hazing activities.<sup>5</sup>

Legal References:

1. TCA 49-6-3109
2. Title VII; 29 CFR §1604.11;  
*Davis v. Monroe County Board of Education*, No. 97-843  
(U.S. Sup. Ct. May 24, 1999)
3. TCA 49-6-1014-1019
4. Title IX (20 U.S.C. §§ 1681-1686)
5. TCA 49-2-120

Cross References:

- Appeals To & Appearances Before the Board 1.608
- Staff-Student Relations 5.610
- Student Complaints and Grievances 6.305

# Tennessee School Boards Association

Monitoring: Review: Annually, in April	Descriptor Term: <b>Student Discrimination/Harassment and Bullying/Intimidation and Cyberbullying</b>	Descriptor Code: <b>6.304</b>	Issued Date:
		Rescinds:	Issued:

## 1 **Discrimination/Harassment (Sexual, Racial, Ethnic, Religious)**

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

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10 duct, advances, gestures or words either written or spoken of a sexual, racial, ethnic or religious nature  
11 which:

- 12
- 13 1. Unreasonably interfere with the student's work or educational opportunities; or
- 14 2. Create an intimidating, hostile or offensive learning environment; or
- 15 3. Imply that submission to such conduct is made an explicit or implicit term of receiving grades  
16 or credit; or
- 17 4. Imply that submission to or rejection of such conduct will be used as a basis for determining  
18 the student's grades and/or participation in a student activity.
- 19

## 20 **Bullying/Intimidation**

21  
22 Students shall be provided a safe learning environment. It shall be a violation of this policy for any student  
23 to bully, intimidate or create a hostile educational environment for another student. Harassment, bullying  
24 and intimidation occurs, if the act takes place on school grounds, at any school-sponsored activity, on  
25 school-provided equipment or transportation or at any official school bus stop, if the act either physically  
26 harms a student or damages his/her property, or knowingly places the student in reasonable fear of such,  
27 causes emotional distress to a student or students, or creates a hostile educational environment. If the act  
28 takes place off school property or outside of a school-sponsored activity, an act of harassment, bullying or  
29 intimidation occurs if the act is directed specifically at a student or students and has the effect of creating  
30 a hostile educational environment or otherwise creating a substantial disruption to the education environ-  
31 ment or learning process. These acts may also take place through electronic means.<sup>3</sup>

32  
33 Alleged victims of the above-referenced offenses shall report these incidents immediately to a teacher,  
34 counselor or building administrator.<sup>4</sup> Any allegations shall be fully investigated by a complaint manager  
35 (as set forth in *Student Concerns, Complaints and Grievances 6.305*).

36  
37 The privacy and anonymity of all parties and witnesses to complaints will be respected. However,  
38 because an individual's need for confidentiality must be balanced with obligations to cooperate with  
39 police investigations or legal proceedings, to provide due process to the accused, to conduct a thorough  
40 investigation or to take necessary action to resolve a complaint, the identity of parties and witnesses  
41 may be disclosed in appropriate circumstances to individuals with a need to know.

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

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

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

This policy shall be published in the parent/student handbook distributed annually to every student.

Building administrators are responsible for educating and training their respective staff and students as to the definition and recognition of discrimination/harassment.

Coaches and other employees of the school district shall not encourage, permit, condone or tolerate hazing activities.<sup>5</sup>

Legal References:

- 1. TCA 49-6-3109
- 2. Title VII; 29 CFR §1604.11;  
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- 3. TCA 49-6-1014-1019
- 4. Title IX (20 U.S.C. §§ 1681-1686)
- 5. TCA 49-2-120

Cross References:

- Appeals To & Appearances Before the Board 1.608
- Staff-Student Relations 5.610
- Student Complaints and Grievances 6.305