

Huntingdon Special School District

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Student / Parent Handbook

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"Expecting More. Doing More. Achieving More"

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PURPOSE

The Student and Parent Handbook is designed to provide a concise outline of rights and responsibilities of students in the Huntingdon Special School District and of those people, including parents/guardians and the school personnel directly involved in the education process. The handbook does not address every possible offense, nor does it address every possible disciplinary action that could be taken by school personnel; instead, offenses and disciplinary actions are addressed in general categories. The handbook offers the administrator, teacher, parent, and student a guide to enable them to act in good faith and make just decisions about student conduct.

CODE OF BEHAVIOR AND DISCIPLINE

The director of schools shall be responsible for the overall implementation and supervision of the Board's Code of Behavior and Discipline and shall ensure that students at all schools are subject to a uniform and fair application of the Code.

The principal of each school shall be responsible for implementation and administration in his/her school and shall apply the Code uniformly and fairly to each student at the school without partiality and discrimination.

The Board delegates to the director of schools the responsibility of developing more specific codes of behavior and discipline that are appropriate for each level of school, namely, elementary, middle, junior high, and senior high. The development of each code shall involve principals and faculty members of each level of school and shall be consistent with the content of the Board's Code.

A copy of the Code shall be posted at each school and guidance counselors shall be supplied copies for discussion with students. The Code shall be referenced in all school handbooks. All teachers, administrative staff and parents shall be provided copies of the Code.

ATTENDANCE

Compulsory Attendance Ages. Children between the ages of six (6) and seventeen (17) years, must attend a public or private school. Any child residing within the state who is or will be five (5) years of age on or before August 31 for the 2013-2014 school year and on or before August 15 for all school years thereafter, who makes application for admission, shall be enrolled in school. No child shall be eligible to enter first grade without having attended an approved kindergarten program.

Absence Procedures. When a student must be absent from school, it is the responsibility of the parent/guardian to provide the proper documentation for the student to be excused when the student returns to school. Failure to provide proper documentation will result in the absence being unexcused. If a parent 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 in board policy 6.200 prior to referral to juvenile court. A doctor's note shall be required for any student in grades:

- K-5 after more than ten (10) absences have occurred.
- 6-12 after more than five (5) absences have occurred.
- K-12 after five (5) unexcused absences have occurred.

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

1. Personal illness or illness of immediate family member;
2. Death in the family;
3. Extreme weather conditions;
4. Religious observances;
5. Pregnancy;
6. School sponsored or school endorsed activities;
7. Summons, subpoena, or court order; or
8. Circumstances which in the judgment of the principal create emergencies over which the student has no control.

Excused Absence for Participation in Non-School-Sponsored Extracurricular Activity. A school principal or designee may excuse a student from school attendance to participate in a non-school-sponsored extracurricular activity, if the following conditions are met:

- 1) The student provides documentation to the school as proof of the student's participation in the non-school-sponsored extracurricular activity; and
- 2) The student's parent, custodian, or other person with legal custody or control of the student, prior to the extracurricular activity, submits to the principal or the principal's designee a written request for the excused absence. The written request shall be submitted no later than seven (7) business days prior to the student's absence and shall include: the student's full name, grade, dates of the student's absence, reason for the student's absence; and the signature of the student and the student's parent, custodian, or other person with legal custody or control of the student.
- 3) The principal or principal's designee shall approve, in writing, the student's participation in the non-school-sponsored extracurricular activity, limit the number and duration of non-school-sponsored extracurricular activities for which excused absences may be granted to a student during the school year and shall excuse no more than ten (10) absences each school year for students participating in non-school-sponsored activities.

Tardy. A student who is not in his/her homeroom, classroom, or other assigned areas, when the tardy bell rings is considered tardy. Tardiness will be dealt with by each individual principal at each school. Requests for dismissals before the close of school must be presented in writing, in person, or by phone by the parents or guardians either to the principal or to some other designated person.

Make-up. Students having excused or unexcused absences shall be allowed to make up work. It is the student's and parents' responsibility to contact teachers concerning make-up work. Policy pertaining to make-up work shall be handled by each individual school principal and/or teacher.

DISCIPLINE PROCEDURES

The following levels of misbehavior and disciplinary procedures and options are standards designed to protect all members of the educational community in the exercise of their rights and duties and to maintain a safe learning environment where orderly learning is possible and encouraged. These misbehaviors apply to student conduct on school buses, on school property, and while students are on school sponsored outings.

* Zero tolerance offenses

MISBEHAVIORS: LEVEL I

This level includes minor misbehavior on the part of the student which impedes orderly classroom procedures or interferes with the orderly operation of the school but which can usually be handled by an individual staff member.

Examples (not an exclusive listing):	Disciplinary Procedures:	Disciplinary Options:
<ul style="list-style-type: none"> • Classroom disturbances • Classroom tardiness • Cheating and lying • Abusive language • Non-defiant; failure to do assignments or carry out directions • Wearing, while on the grounds of a public school during the regular school day, clothing that exposes underwear or body parts in an indecent manner that disrupts the learning environment • Victimization of any student (Harassment (Sexual, Racial, Ethnic, Religious), Bullying, Cyber-bullying, and/or Hazing) 	<ul style="list-style-type: none"> • Staff member intervenes immediately. • Staff member determines what offense was committed and its severity. • Staff member determines who committed the offense and if he/she understands the nature of the offense. • Staff member employs appropriate disciplinary options. • The record of the offense and disciplinary action shall be maintained by the staff member. 	<ul style="list-style-type: none"> • Verbal reprimand • Special Assignment • Restricting activities • Assigning work details • Counseling • Withdrawal of privileges • Issuance of demerits • Strict supervised study • Detention • Corporal punishment • In-school suspension

MISBEHAVIORS: LEVEL II

This level includes misbehavior whose frequency or seriousness tends to disrupt the learning climate of the school. These misbehaviors do not represent a direct threat to the health and safety of others but have educational consequences serious enough to require corrective action on the part of administrative personnel.

Examples (not an exclusive listing):	Disciplinary Procedures:	Disciplinary Options:
<ul style="list-style-type: none"> • Continuation of unmodified Level I behaviors • School or class tardiness • Using forged notes or excuses • Disruptive classroom behavior 	<ul style="list-style-type: none"> • The student is referred to the principal for appropriate disciplinary action. • The principal meets with the student and teacher. • The principal hears the accusation made by the teacher and allows the student the opportunity to explain his/her conduct. • The principal takes appropriate disciplinary action and notifies the teacher of the action. • The record of offense and disciplinary action shall be maintained by the principal. 	<ul style="list-style-type: none"> • Teacher/schedule change • Modified probation • Behavior modification • Social probation • Peer counseling • Referral to outside agency • In-school suspension • Alternative School • Transfer • Detention • Suspension from school-sponsored activities or from riding school bus • Corporal punishment • Out-of-school suspension not to exceed ten (10) days

MISBEHAVIORS: LEVEL III

This level includes acts directly against persons or property but whose consequences do not seriously endanger the health or safety of others in the school.

Examples (not an exclusive listing):	Disciplinary Procedures:	Disciplinary Options:
<ul style="list-style-type: none"> • Continuation of unmodified Level I and II behaviors • Fighting • Vandalism (minor) • Use, possession, sale, distribution, and/or being under the influence of tobacco, drugs, drug paraphernalia, and/or alcohol • Stealing • Threats to others • Victimization of any student (Harassment (Sexual, Racial, Ethnic, Religious), Bullying, Cyber-bullying, and/or Hazing) 	<ul style="list-style-type: none"> • The student is referred to the principal for appropriate disciplinary action. • The principal meets with the student and teacher. • The principal hears the accusation and allows the student the opportunity to explain his/her conduct. • The principal takes appropriate disciplinary action. • The principal may refer incident to the Director of Schools and make recommendations for consequences. • If the student's program is to be changed, adequate notice shall be given to the student and his/her parent(s)/guardian(s) of the charges against him, his/her right to appear at a hearing, and his/her right to be represented by a person of his/her choosing. • Any change in school assignment is appealable to the Board. 	<ul style="list-style-type: none"> • In-school suspension • Detention • Corporal punishment • Restitution from loss, damage, or stolen property • Out-of-school suspension not to exceed ten (10) days • Social adjustment classes • Transfer • Expulsion

MISBEHAVIORS: LEVEL IV

This level of misbehavior includes acts which result in violence to another's person or property or which pose a threat to the safety of others in the school. These acts are so serious that they usually require administrative actions which result in the immediate removal of the student from the school, the intervention of law enforcement authorities, and/or action by the Board. If a student's action poses a threat to the safety of others in the school, a teacher, principal, school employee, or school bus driver may use reasonable force when necessary to prevent bodily harm or death to another person.

Examples (not an exclusive listing):	Disciplinary Procedures:	Disciplinary Options:
<ul style="list-style-type: none"> • Continuation of unmodified Level I, II, and III behaviors • Death threat (hit list) • Extortion • Bomb threat • Possession/use/transfer of dangerous weapons* • Assault that results in bodily injury upon any teacher, principal, administrator, any other employee of the school, or a school resource officer* • Aggravated assault* • Vandalism • Theft/possession/sale of stolen property • Arson • Possession of unauthorized substances (i.e. any controlled substance, controlled substance analogue, or legend drug)* • Use/transfer of unauthorized substances • Victimization of any student (Harassment (Sexual, Racial, Ethnic, Religious), Bullying, Cyber-bullying, and/or Hazing) • Electronic threat to cause bodily injury or death to another student or school employee* 	<ul style="list-style-type: none"> • The principal confers with appropriate staff members and with the student. • The principal hears the accusations and allows the student the opportunity to explain his/her conduct. • The parent(s)/guardian(s) are notified. • Law enforcement officials are contacted. • The incident is reported, and recommendations are made to the Director of Schools. • Complete and accurate reports are submitted to the Director of Schools. • The student is given a hearing before the disciplinary hearing authority. 	<ul style="list-style-type: none"> • Expulsion • Alternative schools • Other hearing authority or Board action which results in appropriate placement

Additional Guidelines:

1. A student shall not be suspended solely because charges are pending against him/her in juvenile or other court.
2. A principal shall not impose successive short term suspensions that cumulatively exceed ten (10) days for the same offense.
3. A teacher or other school official shall not reduce or authorize the reduction of a student's grade because of discipline problems except in department or citizenship.
4. A student shall not be denied the passing of a course or grade promotion solely on the basis of absences except as provided by board policy.
5. A student shall not be denied the passing of a course or grade promotion solely on the basis of failure to:
 - a. pay an activity fee;
 - b. pay a library or other school fine; or
 - c. make restitution for lost or damaged school property
6. HAZING/BULLYING BY STUDENTS ACTING ALONE OR WITH OTHERS IS STRICTLY PROHIBITED.

Detention. Students may be detained before or after the school day as a means of disciplinary action. The following guidelines shall be followed:

- 1) The student will be given at least one (1) day of notice before detention;
- 2) Students in detention will be under the supervision of certified staff members;
- 3) Detention will not exceed two (2) hours after the official closing of the school day but may be administered several days in succession;
- 4) Teachers must have the approval of the principal before detaining a student; and
- 5) If a student, with his parents' (or guardians') support, fails to meet the detention measures, the principal may at his/her discretion suspend said student from school. The student, after being suspended, will not be subject to detention. As a result the procedure for handling grievances shall be initiated.

In-School Suspension. Students placed in in-school suspension in excess of one (1) day from classes shall attend either special classes attended only by students guilty of misconduct or be placed in an isolated area appropriate for study; and personnel responsible for in-school suspension will see that each student is supervised at all times and has textbooks and classroom assignments from his/her regular teachers. Students placed in in-school suspension shall be required to complete academic assignments and shall receive credit for work completed.

Alternative School. An alternative school program shall be available for students in grades 7-12 who have been suspended or expelled from regular school programs. Attendance in alternative school programs shall be mandatory and students attending an alternative school located other than at their home school shall provide their own transportation.

The student shall be subject to all rules of the school and violations of such rules may result in the student's removal from the school for the duration of the original intended suspension or expulsion. Students assigned to an alternative school may not participate in or attend any school sponsored activities such as sporting events (home or away), before or after-school club activities, extracurricular activities, etc.

Students found to be eligible for special education services in related circumstances shall be placed and served in accordance with the law and rules relating to special education.

Discipline of students with disabilities will follow the requirements of the Individuals with Disabilities Education Act.

Interference/Disruptions of School Activities. The staff is authorized to take reasonable measures to establish appropriate school behavior. Any professional employee shall have the authority to control the conduct of any student while under the supervision of the school system. This authority shall extend to all activities of the school, including all games and public performances of athletic teams and other school groups, trips, excursions, and all other activities under school sponsorship and direction.

A teacher, principal, school employee or school bus driver, in exercising the person's lawful authority, may use reasonable force when necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another person in accordance with TCA §49-6-4107.

A student shall not use violence, force, coercion, threat, intimidation, fear, passive resistance, or any other conduct which causes the disruption, interference, or obstruction of any school purpose while on school property, in school vehicles or buses, or at any school-sponsored activity, function, or event, whether on or off campus. Neither shall he/she urge other students to engage in such conduct.

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

ZERO TOLERANCE

Zero Tolerance Defined. According to TCA §49-6-3401(g)(5)(B) – the term “Zero Tolerance” is defined as an offense committed by a student requiring the student to be expelled from school for at least one (1) calendar year that can only be modified on a case-by-case basis by the director of schools.

Zero Tolerance Offenses Defined. TCA §49-6-4002(e) defines the following offenses as zero tolerance offenses:

- 1) Unauthorized possession on school property of a firearm (includes extra-curricular events, sporting events, etc.) as defined in 18 U.S.C. §921.
- 2) Aggravated assault as defined in TCA §39-13-102 upon any teacher, principal, administrator, any other employee of an LEA, or a school resource officer. Aggravated assault is defined as intentionally or knowingly commits an assault as defined in § 39-13-101, and the assault:
 - a. Results in serious bodily injury to another;
 - b. Results in the death of another;
 - c. Involved the use or display of a deadly weapon; or
 - d. Involved strangulation or attempted strangulation.
- 3) Assault that results in bodily injury as defined in §39-17-101(a)(1) upon any teacher, principal, administrator, any other employee of an LEA, or a school resource officer. Assault is defined as:
 - a. Intentionally, knowingly or recklessly causes bodily injury to another;
 - b. Intentionally or knowingly causes another to reasonably fear imminent bodily injury; or
 - c. Intentionally or knowingly causes physical contact with another and a reasonable person would regard the contact as extremely offensive or provocative.
- 4) Unlawful possession of any drug, including any controlled substance, as defined in §§39-17-402 – 39-17-415, controlled substance analogue, as defined by §39-17-454, or legend drug, as defined by §53-10-101 on school grounds or at a school-sponsored event.

Notification of Zero Tolerance Offense. When it is determined that a student has violated this policy, the principal of the school shall notify the student's parent or guardian and the criminal justice or juvenile delinquency system as required by law

Other Serious Incidents. According to TCA §49-6-4216, other serious incidents other than zero tolerance offenses may occur that require certain, swift, and reasoned punishment. Reasoned punishment may include a spectrum of disciplinary measures designed to correct student misbehavior and promote student respect and codes of conduct and board policies. These serious incidents include, but are not limited to:

- 1) Being under the influence of a drug;
- 2) Threatening to assault a teacher, student, or other person; or
- 3) A student who transmits by an electronic device any communication containing a credible threat to cause bodily injury or death to another student or school employee and the transmission of such threat creates actual disruptive activity at the school that requires administrative intervention.

STUDENT SUSPENSIONS

Expulsion/Remand/Suspension Defined. For recording student absences from school because of disciplinary actions, the following definitions apply:

- ***Expulsion:*** Removal from attendance for more than ten (10) consecutive days or more than fifteen (15) days in a month of school attendance. Multiple suspensions that occur consecutively shall constitute expulsion.
- ***Remand:*** Assignment to an alternative school

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

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

- 1) Willful and persistent violation of the rules of the school;
- 2) Immoral or disreputable conduct, including vulgar or profane language;
- 3) Violence or threatened violence against the person of any personnel attending or assigned to any school;
- 4) Assault and/or Aggravated Assault of a teacher, principal, administrator, school district employee, and/or school resource officer (SRO) (Automatic One-Year Suspension.
- 5) Willful or malicious damage to real or personal property of the school, or the property of any person attending or assigned to the school;
- 6) Inciting, advising or counseling of others to engage in any of the acts herein enumerated;
- 7) Possession of a pistol, gun or firearm on school property (Automatic One-Year Suspension;
- 8) Possession of a knife, etc., as defined in TCA §39-17-1309(b)(1) – Carrying Weapons on School Property;
- 9) Assaulting a principal or teacher with vulgar, obscene or threatening language;
- 10) Unlawful use or possession of barbitol or legend drugs as defined in TCA §53-10-101 “Legend Drugs defined” (Automatic One-Year Suspension);
- 11) Engaging in behavior which disrupts a class or school-sponsored activity;
- 12) Off-campus criminal behavior resulting in felony charges; when behavior poses a danger to persons or property or disrupts the educational process (Please See Below)*
- 13) Any other conduct prejudicial to good order or discipline in any school.

Suspension of Students Based on Off-Campus Criminal Behavior. As provided in TCA §49-6-3401(a)(14) off campus criminal behavior that results in the student being legally charged with an offense that would be classified as a felony if the student was charged as an adult or adjudicated delinquent for an offense that would be classified as a felony if the student was an adult, or if the student was convicted of a felony, and the student’s continued presence in school poses a danger to persons or property or disrupts the educational process. Apart from any other law to the contrary, the principal of the school in which the student is enrolled and the director of schools shall determine the appropriate educational assignment for the student released for admission

Suspension/Expulsion of Students Expanded – Self Defense Exception. If a student is determined, via a fair and thorough investigation made by the principal or the principal’s appointed representative, to have acted in self-defense under a reasonable belief that the student, or another to whom the student was coming to the defense of, may have been facing the threat of imminent danger of death or serious bodily injury, which the student honestly believed to be real at the time, then, at the principal’s recommendation, the student may not face disciplinary action.

Procedures for Suspension and Expulsion

- 1) Unless the student’s continued presence in the school, class, or school-related activity presents any immediate danger to the student or other persons or property, no principal shall suspend/expel any student until that student has been advised of the nature of his/her misconduct, questioned about it, and allowed to give an explanation.
- 2) Upon suspension/expulsion of any student (in-school suspension in excess of one {1} day), the principal shall make an immediate attempt to contact the parent or guardian to inform them of the suspension/expulsion. The student shall not be sent home before the end of the school day unless the parent or guardian has been contacted.
- 3) The principal shall notify the parent or guardian and the director of schools or his/her designee in writing of the suspension/expulsion/remand and the cause for it; and a request for a meeting with the parent or guardian, student and principal, to be held as soon as possible, but no later than five (5) days following the suspension/expulsion.
- 4) Immediately following the scheduled meeting, whether or not attended by the parent/guardian or student, the principal shall determine the length of the suspension/expulsion and set conditions for readmission. If the principal determines the length of the suspension to be between six (6) and the maximum of ten (10)

days, he/she may suspend/expel/remand the student unconditionally for a specified period of time or upon such terms and conditions as are deemed reasonable.

- 5) If at the time of the suspension the principal determines that an offense has been committed that, in the judgment of the principal would justify a suspension/expulsion for more than ten (10) days, he/she may suspend/expel/remand the student unconditionally for a specified period of time or upon such terms and conditions as are deemed reasonable.
- 6) The principal shall immediately give written or actual notice to the parent or guardian and the student of the right to appeal the decision to suspend/expel/remand for more than ten (10) days. All appeals must be filed, orally or in writing, within five (5) days after receipt of the notice and may be filed by the parent or guardian, the student or any person holding a teaching license who is employed by the school system if requested by the student.
- 7) The appeal from this decision shall be to a disciplinary hearing authority appointed by the Board.
- 8) If the suspension/expulsion occurs during the last ten (10) days of any term or semester, the student shall be permitted to take such final examinations or submit such required work as necessary to complete the course of instruction for that semester, subject to conditions prescribed by the principal.

Admission of Suspended or Expelled Students. The Board may deny admission of any student (except those in state custody*) who has been expelled or suspended from another school system in Tennessee or other state even though the student has established residency in the system in which she/he seeks enrollment.

After a request for enrollment is made, the director of schools shall investigate the facts surrounding the suspension/expulsion from the former school system and make a recommendation to the Board to approve or deny the request.

The Board shall not deny enrollment beyond the length of imposed suspension/expulsion.

If the action of the Board is to deny admission, the director of schools shall, on behalf of the Board of Education, notify the Commissioner of Education of the decision.

Any school system that accepts enrollment of a student from another school system may dismiss the student if it is determined subsequent to the enrollment that the student has been suspended or expelled from the former school system.

*This does not apply to a student who has been expelled for one of the mandatory one-year zero-tolerance offenses.

STUDENT DISCIPLINARY AUTHORITY

Procedural Due Process. Before school authorities administer disciplinary measures, reasonable inquiry shall be made to determine the truth of what happened. The nature of this inquiry will vary in degree with the seriousness of the offense and the consequence attached thereto.

For minor offenses where corrective measures are taken by the classroom teacher, no formal procedure is required. An inquiry into the incident to ensure that the offender is accurately identified, that he/she understands the nature of the offense, and that he/she knew the consequences of the offense for which he/she is accused.

In case of severe offenses where there is a possibility of suspension, the student shall be advised of the nature of his/her misconduct, questioned about it, and allowed to give an explanation.

If the principal determines that the offense is of such nature that the student's continued presence would be detrimental to the school or persons within the school, and if the suspension/expulsion is for more than ten (10) days, he/she shall refer the case to the disciplinary hearing authority.

Student Disciplinary Hearing Authority. The Board shall establish a Disciplinary Hearing Authority (DHA) to conduct hearings for students who have been suspended for **more than ten (10) days**. A student disciplinary hearing **is not mandatory**, however before any further due process steps can occur a DHA **MUST** be convened. The DHA shall consist of the DHA chairperson (the district attendance supervisor) and a minimum of three (3) voting members. The voting members of the DHA will include the district's three building principals and/or assistant principals (when appropriate), and/or the district's three guidance counselors (when appropriate).

In cases where it is impracticable to use any of the personnel mentioned, other system personnel may be used. However, at least one member of the DHA must be a certified, licensed employee of the Board.

The director of schools shall appoint a chairperson (normally the district attendance supervisor) of the DHA as well as a minimum of three (3) other persons, one of whom must be a certified, licensed employee of the Board. The chairperson shall perform the following duties.

- 1) Identify the members of the DHA assigned to hear each individual case;
- 2) Prepare and disseminate the minutes of each meeting;
- 3) Set the time, place and date for each hearing;
- 4) Notify appropriate persons of each meeting within forty-eight (48) hours of receiving notification of the suspension/expulsion; and
- 5) Sign and maintain a copy of minutes of the meeting.

Each hearing shall be conducted by at least three (3) members of the DHA, one of which must be a certified, licensed employee of the Board. The hearing must be held, a decision must be rendered, and notification of the decision must be provided to the parents and/or student and the principal no later than ten (10) days after the beginning of the suspension/expulsion. Notification of the decision shall include a statement of the right of either party within five (5) days after receiving the decision to request a review by the director of schools and/or Board. The decision of the DHA will be in writing and will be mailed, Certified, Return Receipt Requested. The DHA may take the following disciplinary actions:

- 1) Affirm the decision of the school principal;
- 2) Order removal of the suspension/expulsion unconditionally;
- 3) Order removal of the suspension/expulsion upon such terms and conditions as it deems reasonable;
- 4) Remand the student to an alternative placement; or
- 5) Suspend/Expel/Remand the student for a specified period of time.*

If a review of the hearing is requested by either the student or principal, the board shall either review the record or grant a second hearing. If the board chooses to review the record, it shall:

- 1) Affirm the decision of the hearing authority; or
- 2) Modify the decision to a lesser penalty*; or
- 3) Grant a hearing before the Board.

If the Board chooses to grant a hearing, it may:

- 1) Affirm the decision of the hearing authority; or
- 2) Modify the decision in any manner*; or
- 3) Impose a more severe penalty than that of the hearing authority.

**Note: Zero-tolerance offenses set forth in statute (firearms, drug possession, and aggravated assault upon a school employee) require a mandatory calendar year expulsion or assignment to alternative placement for a calendar year and may only be modified by the director of schools.*

INTERROGATIONS AND SEARCHES

In the educational setting, many individuals, to include students, parents, guardians, etc. are often confused as to the difference in reasonable suspicion and probable cause. The definitions of both are listed below:

Reasonable Suspicion: The idea that there is enough circumstantial evidence where a person could make a logical conclusion or reasonable assumption that there is a crime being committed. Reasonable suspicion gives a police officer the right to stop and question an individual. It does not give an officer the right to detain or search an individual.

Probable Cause: The notion that there is enough evidence or circumstantial evidence to warrant a search. Probable cause gives an officer the reason to detain and search the individual.

In an educational setting, a principal only needs reasonable suspicion to stop, question, detain, and/or search a student. In the court case *New Jersey v. T.L.O.* in 1985, the United States Supreme Court ruled, "there is a balancing between an individual's—even a child's—legitimate expectation of privacy and the school's interest in maintaining order and discipline. Accordingly, school officials do not need a warrant to search the belongings of students, but they do require a "reasonable suspicion."

TCA §49-6-4209 states, "It is the duty of a school principal who has a reasonable suspicion to believe, either as a result of a search or otherwise, that any student is committing or has committed any violation of title 39, chapter 17, part 4 (Drugs), TCA §39-17-1307 (Unlawful carrying or possession of a weapon), or TCA §39-17-1309 (Carrying weapons on school property), upon the school ground or within any school building or structure under the principal's supervision, to report such reasonable suspicion to the appropriate law enforcement officer".

Interrogations by School Personnel. 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, but 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. 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, but 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:

- 1) A particular student has violated policy;
- 2) The search could be expected to yield evidence of the violation of school policy or disclosure of a dangerous weapon or drug;
- 3) The search is in pursuit of legitimate interests of the school in maintaining order, discipline, safety, supervision, and education of students;
- 4) The primary purpose of the search is not to collect evidence for a criminal prosecution; and
- 5) The search shall be reasonable related to the objectives of the search and not excessively intrusive in light of the age and gender of the student, as well as the nature of the infractions alleged to have been committed.

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

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

If the principal has received reliable information which he/she believes to be true that evidence of a crime or of stolen goods, not involving school property of members of the school staff or student body, is located on school property and that any search for such evidence or goods would be unrelated to school discipline or to the health and safety of a student or the student body, he/she shall request police 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 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(1) and §49-6-4202(2) respectively 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 probable cause to suspect that criminal evidence is about to be uncovered.

CARE OF SCHOOL PROPERTY

Students shall help maintain the school environment, preserve school property, and exercise care while using school facilities.

All district employees shall report all damage or loss of school property to the principal or his/her designee immediately after such damage or loss is discovered. The principal or his/her designee shall make a full and complete investigation of any instance of damage or loss of school property. The investigation shall be carried out in cooperation with law enforcement officials when appropriate.

School property is defined as buildings, buses, books, equipment, records, instructional materials, or any other item under the jurisdiction of the Board.

When the person causing damage or loss has been identified and the costs of repair or replacement have been determined, the director of schools shall take steps to recover these costs. This may include recommending the filing of a civil complaint in court to recover damages. If the responsible person is a minor, recovery will be sought from the minor's parent or guardian.

In addition, the district may withhold the grades, diploma, and/or transcript of the student responsible for vandalism or theft or otherwise incurring any debt to a school until the student or the student's parent/guardian has paid for the damages. When the minor and parent are unable to pay for the damages, the district shall provide a program of voluntary work for the minor. Upon completion of the work, the student's grades, diploma, and/or transcripts shall be released. Such sanctions shall not be imposed if the student is not at fault.

DISCRIMINATION/HARASSMENT OF STUDENTS

Students shall be provided a learning environment free from sexual, racial, ethnic, and religious discrimination/harassment. It shall be a violation of this policy for any student to discriminate against or harass a student through belittling conduct or communication that is sexual, racial, ethnic, or religious in nature. The following guidelines are set forth to protect students from discrimination/harassment.

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

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

Alleged victims of sexual, racial, ethnic, and/or religious discrimination/harassment shall report these incidents immediately to a teacher, counselor, or building administrator. Allegations of discrimination/harassment shall be fully investigated by a complaint manager (as set forth in Student Concerns, Complaints and Grievances 6.305).

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

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 Compliant Manager. 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.

Non-Discrimination Policy

The Huntingdon Special School District does not discriminate in employment, program participation, activity, or benefits of such on the basis of gender, ethnicity, national origin, language, religious beliefs, homelessness, or disabling conditions. If you have a complaint contact: Angie Bunn (731-986-2222).

CYBER BULLYING

"Cber-bullying" means bullying undertaken through the use of electronic devices. Electronic devices include, but are not limited to, telephones, cellular phones, or other wireless telecommunication devices, personal digital assistants (PDAs), computers, electronic mail, instant messaging, text messaging and websites. Harassment, intimidation or bullying means any act that substantially interferes with a student's educational benefits, opportunities or performance.

Furthermore, in relation to the educational environment, the act is considered bullying/cyber-bullying if the act takes place on school grounds, at any school-sponsored activity, on school-provided equipment or transportation or at any official school bus stop, the act has the effect of:

- a) Physically harming a student or damaging a student's property
- b) Knowingly placing a student(s) in reasonable fear of physical harm or damage to the student's property
- c) Causing emotional distress to a student or students
- d) Creating a hostile educational environment

Also, if the act takes place off school property or outside of a school-sponsored activity, and it is directed specifically at a student or students and has the effect of creating a hostile educational environment or otherwise creating a substantial disruption to the education environment or learning process.

Additionally, any school employee, student, or volunteer may not engage in reprisal or retaliation against a victim of, witness to, or person with reliable information about an act of harassment, intimidation, bullying or cyber-bullying. Any of the aforementioned who witnesses or has reliable information that a student has been subjected to an act of harassment, intimidation, bullying or cyber-bullying is encouraged to report the act to the appropriate school official. Finally, any of the aforementioned who witnesses or possesses reliable information that a student has transmitted by an electronic device any communication containing a credible threat to cause bodily injury or death to another student or school employee shall report such information to the appropriate school official. The school official shall then make a determination regarding the administration of the report and if deemed necessary in accordance with TCA §49-6-4216, the offending student will face swift, certain and sever disciplinary action.

Students shall be provided a safe learning environment. It shall be a violation of school board policy for any student to bully, intimidate or create a hostile educational environment for another student. A substantiated charge against a student for any of these offenses may result in corrective or disciplinary action up to and including suspension.

DRUG FREE SCHOOLS

In order to protect the rights of students, to safeguard the learning environment, and to contribute to a "Drug Free" community, the Board's plan for dealing with alcohol and drugs shall include the following:

- 1) Appropriate ways for handling alcohol/drug-related medical emergencies;
- 2) Guidelines for reporting alcohol/drug incidents and illegal activities;
- 3) Guidelines for referral of students who may have an alcohol/drug problem and/or are considered "high risk" to agencies and other sources or appropriate help;
- 4) Effective working relationships with appropriate community agencies, such as alcohol/drug service providers, law enforcement agencies and judicial officials.

Through the use of state guidelines the director of schools shall be responsible for:

- 1) Developing and implementing an appropriate curriculum on alcohol and drug education for students;
- 2) Providing adequate information and training for all staff personnel as appropriate to their responsibilities;
- 3) Implementing the relevant portions of the Drug-Free Youth Act;
- 4) Developing administrative rules and guidelines for the school system to effectively respond to alcohol and drug situations that may occur at school or school-sponsored events; and
- 5) Providing notification to parents and students that compliance with this policy is mandatory.

Students will not consume, possess, use, sell, distribute, or be under the influence of illegal drugs or alcoholic beverages in school buildings or on school grounds, in school vehicles or buses, or at any school-sponsored activity at any time, whether on or off school grounds. This includes, but is not limited to, abuse of inhalants and prescription drugs.

Disciplinary sanctions will be imposed on students who violate standards of conduct required by this policy. Such sanctions will be consistent with local, state and federal laws, up to and including suspension/expulsion as well as referral for prosecution. Completion of an appropriate rehabilitation program may also be recommended.

Information about drug and alcohol counseling and rehabilitation programs will be made available through the school office.

TOBACCO FREE SCHOOLS

All uses of tobacco and tobacco products, including smokeless tobacco, electronic/battery operated devices, and vapor products are prohibited in all of the school district's buildings. Smoking shall be prohibited in any public seating areas, including but not limited to, bleachers used for sporting events, or public restrooms. The use of tobacco products, including smokeless tobacco, will be prohibited in all vehicles, owned, leased, and operated by the district.

Any student who possesses tobacco products shall be issued a citation by the school principal/resource officer. The director of schools, in cooperation with the juvenile court and the local (police/sheriff's department), is responsible for developing procedures for issuance of the citations which shall include the form and content of citations and methods of handling completed citations.

USE OF THE INTERNET

All students/parents/guardians will be required to sign an agreement to abide by the district's Acceptable Use Policy which describes the proper use of the Internet and electronic transmission devices in the district.

COMMUNICATION/ELECTRONIC DEVICES

Students may possess personal communication devices and personal electronic devices so long as such devices are turned off and stored in backpacks, purses or personal carry-all's. Such devices include, but are not limited to, wearable technology such as eye glasses, rings, or watches that have the capability to record, live stream, or interact with wireless technology; cell phones; laptops; tablets; and mp3 players. However, a teacher may grant permission for the use of these devices to assist with instruction in his/her classroom, and teachers are encouraged to integrate the devices into their course work. The principal or his/her designee may also grant a student permission to use such a device at his/her discretion.

Unauthorized use or improper storage of a device will result in confiscation until such time as it may be released to the student's parents or guardian. A student in violation of this policy is subject to disciplinary action.

MEDIA ACCESS TO STUDENTS

School administrators shall be authorized to grant permission and set parameters for media access to students in their respective schools. Media representatives shall be required to report to the administration for prior approval before accessing students involved in instructional programs and activities not attended by the general public. The media may interview and photograph students involved in instructional programs and school activities including athletic events. Such media access shall not be unduly disruptive and shall comply with Board policies.

Each year parents/guardians will be given the option to withhold permission for public news media interviews or photographs of their child at school. Specific parental/guardian permission must be obtained if the story or photograph covers topics of a sensitive nature.

If any student is to be filmed or videotaped and will be identified or a primary subject of the filming or videotaping, prior written consent/release/waiver will be obtained from the student's parent/guardian.

District employees may release student information to the media only in accordance with applicable provisions of the education records law and Board policies governing directory information and personally identifiable information. Parents/guardians will be advised of this policy at the time of the student's registration and each fall in the student/parent handbook.

DRESS CODE

Students shall dress and groom in a clean, neat, and modest manner so as not to distract or interfere with the operation of the school. More specific guidelines appropriate for each level of school (primary, middle, and high) may be developed. Principals, faculty members, and students shall be involved in the development of each appropriate set of guidelines.

When a student is attired in a manner which is likely to cause disruption or interference with the operation of the school the principal shall take appropriate action that may include suspension.

Students are prohibited from wearing, while on the grounds of a public school, clothing that exposes underwear or body parts in an indecent manner that disrupts the learning environment. Each individual school will have their own consequence(s) for disobedience of any part of this section.

PARENT REQUEST FOR INFORMATION

Parents may request information about the professional qualifications of their children's classroom teacher(s) and/or paraprofessionals. Information may be requested by contacting the individual school(s) directly or by calling the local Board of Education office at 731-986-2222.

RELOCATION OF STUDENTS

Huntingdon Special School District employees are authorized to relocate a student from the student's present location to another location for the student's safety or the safety of others. The use of reasonable or justified force, if required to accomplish this task due to the unwillingness of the student to cooperate, is allowed. If steps beyond the use of reasonable or justifiable force are required, the student shall be allowed to remain in place until such a time as local law enforcement officers can be summoned to relocate the student or take the student into custody until such a time as a parent or guardian can retrieve the student. This also includes an employee's authorization to intervene in a physical altercation between two or more students, or between a student and employee using reasonable or justifiable force upon a student, if necessary, to end the altercation by relocating the student to another location. Huntingdon Special School District employees are defined as those who are directly responsible for the student's education or who otherwise interact with the student on a professional basis while acting within the scope of their assigned duties including, but not limited to, administrators, teachers, school support staff, bus drives, cafeteria workers, etc.

STUDENT EQUAL ACCESS

If the School Board or a school principal authorizes an event at which a student is to speak, a limited public forum shall be established for such student speakers. The appropriate administrators shall ensure that:

1. The forum is provided in a manner that does not discriminate against a student's voluntary expression of a religious viewpoint, if any, or on an otherwise permissible subject;
2. There is an appropriate method of selecting student speakers which is based on neutral criteria;
3. Student speakers do not engage in speech that is obscene, vulgar, offensively lewd, indecent or promotes illegal drug use.

To the extent possible and practical, prior to events in which students will speak, notice shall be provided orally and/or in writing that the student's speech does not reflect the endorsement, sponsorship, position, or expression of the School Board and its employees.

ASSESSMENT CALENDAR 2019-2020

Required Assessments

Assessment Name	Administration	2019-2020 Administration Window
TCAP End of Course	Fall Block	December 2 - December 19
	Spring Block/ Traditional	April 13 - May 8
TCAP Grades 3-8	Spring	April 13 - May 8
TCAP-Alt Grades 3-11 (MSAA & Science / Social Studies)	Spring	March 16 - May 8 (<i>Tentative</i>)
ACT (Grade 11)	Spring	<i>ACT has not yet posted these dates.</i>
NAEP	Winter/Spring	January 28 - March 15
ACCESS for ELs	Spring	February 17 - April 3 (<i>Tentative</i>)

Optional Assessments

Assessment Name	Administration	2019-2020 Administration Window
Grade 2*	Spring	April 13 – May 8
Grade 2 Alt*	Spring	March 16 – May 8
ACT Senior Retake	Fall	<i>ACT has not yet posted these dates.</i>

A detailed assessment calendar is posted to the district website at www.huntingdonschools.net.

Changes to test scheduling will be posted to the district website as soon as they are official. Interested persons will be notified via “Notify Me” through the website when changes are posted.