

**Franklin County Schools**  
***Code of Conduct***  
**2020-21 School Year**

Annually, after gathering recommendations and input from various groups, this ***Code of Conduct*** is updated to notify students, parents/guardians/legal custodians, school system employees, and others of expected standards of student behavior, as well as the consequences of the failure to obey such standards. **Items in red have been added or changed since last year.**

This ***Code of Conduct*** has been developed in accordance with applicable federal and state laws as well as relevant policies of the Franklin County School Board to help provide and maintain a safe and secure learning environment for all students, completely free of drugs, drug paraphernalia, dangerous weapons, and threats of physical or psychological harm. The learning environment in every school must be not only safe and orderly, but pleasant, cordial, and very positive where all students realize that they are valued and treasured and where all students are not only able to learn, but eager to learn.

**Parents/Guardians/Legal Custodians:**

Please read the following information very carefully so that both you and your child will know the expected standards of behavior, as well as the consequences of the failure to obey.

This latest ***Code of Conduct*** including the *Acceptable Use Policy* (Use of Internet, Section XII) can be found on the system's web-site.



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Franklin County Schools  
**Code of Conduct**  
**2020-21 School Year**

## **Section I — Introduction**

This *Code* has been generated to help you interact with your child's school and to be the best advocate for your child's educational needs. Recommendations and input from parents, employees, appropriate law enforcement agencies, and youth-related agencies in the community has been collected and compiled into this handbook.

This is an attempt to make all parties - students and their parents, school system employees, and others clearly aware of the standards of expected student behavior, and the consequences of the failure to obey such standards.

## **Section II — Purpose**

This *Code* is revised annually to comply with both federal and state laws as well as the applicable policies of the Franklin County School Board to help provide and maintain a safe and secure learning environment, free of drugs, drug paraphernalia, dangerous weapons, and threats of physical or psychological harm. Efforts will be made to ensure that the learning environment in every school is not only orderly, but pleasant, cordial, and very positive where all students are valued and treasured, and where all students are not only able to learn, but eager to learn. The Director of Schools shall be responsible for the overall implementation and supervision of the ***Code of Conduct*** and each school principal shall be responsible for the administration and implementation of the *Code* within the school.

## **Section III — Expectations**

### **Article 3.1 — Rights and Responsibilities** ([Board Policy 6.301](#))

The Board expects all school staff, students, and parents/guardians/legal custodians to assume the responsibility for appropriate behavior in the school.

Each student has the right to:

1. Have the opportunity for a free education in the most appropriate learning environment;
2. Be secure in his/her person, papers, and effects against unreasonable searches and seizures;
3. Expect that the school will be a safe place;
4. Have an appropriate environment conducive to learning;
5. Not be discriminated against on the basis of sex, race, color, creed, religion, natural origin, or disabilities; and
6. Be fully informed of school rules and regulations.

Each student has the responsibility to:

1. Know and adhere to reasonable rules and regulations established by the Board;
2. Respect the human dignity and worth of every other individual;
3. Refrain from libel, slanderous remarks, and obscenity in verbal/written expression, or possession of pictorial/ pornographic materials, including, but not limited to, the inappropriate use of cell phone/computer photography on school grounds or at school-related events or activities;
4. Study and maintain the best possible level of academic achievement;
5. Be punctual and present in the regular school program;

6. Dress (*see Article 3.3*) and groom in a manner that meets reasonable standards of health, cleanliness, modesty, and safety;
7. Maintain and/or improve the school environment, preserve school and private property, and exercise care while using school facilities;
8. Refrain from behavior which would lead to physical or emotional harm or disrupt the educational process;
9. Respect the authority of school administrators, teachers, and other authorized personnel in maintaining discipline in the schools and school-sponsored activities;
10. Obey applicable state and federal laws, school board policies, and school rules in regard to the possession, use, and/or sale of alcohol, illegal drugs, and other unauthorized substances or materials; and
11. Possess only those materials on school grounds that are acceptable under the law and school and board policies and accept the consequences for articles stored in one's locker.

**Article 3.2 — Guidelines for the Conduct of Students**

Students are expected to behave as ladies and gentlemen at all times and to continually develop self-discipline. Students should show respect for others, for school property and the property of others at all times. The following statements shall serve as guidelines for student conduct:

**Treat others as you would like to be treated.**

**Show respect for teachers' rights to teach and students' rights to learn.**

**Arrive at school on time and remain all day.**

**Take care of school and personal property.**

**Do your best.**

**Article 3.3 — Dress and Appearance for Students in Middle and High School** ([\*Board Policy 6.310\*](#))

The Franklin County School System is committed to help create and maintain the very best learning environment possible. A correlation certainly exists between appropriate attire and a positive learning environment.

Any dress or hairstyle that is considered contrary to good hygiene, distracting or disruptive in appearance, detrimental to the educational environment or to the public image of the school shall not be allowed. The administration of the school reserves the right and responsibility to determine whether a student's attire is within the limits of appropriateness for school, decency, and modesty. In matters of opinion, the judgment of the principal/designee shall prevail.

A uniform dress code is in effect at the middle schools and high schools. The uniform dress code will include solid khaki (khaki-colored) pants, skirts, shorts, skorts, capris or appropriately solid-colored jeans, denim skirts, shorts, skorts or capris with no holes. Pants will be belted at the waist when appropriate. Shirts will be collared, or crew necked, with sleeves. Shirts may be solid-colored or patterned. The only logos that may be on a shirt will be – logos no larger than a six (6) by six (6) inch square. Shirts must completely cover the abdomen, back, shoulders, midriffs, and cleavage. Shirts will be tucked in the pants or skirts or, at the discretion of the school, allowed to be worn on the outside if worn neatly. Spirit wear depicting the school of attendance is considered appropriate attire.

The following specific expectations have been established to help create and maintain the best learning environment:

1. All clothing must be clean, appropriate for school, and size appropriate. Clothing must not have holes, be cut-off, ripped, or see-through. The only logos allowed must meet the six (6) by six (6) inch square requirement on shirts or logos on spirit wear. Spirit wear is any clothing item that displays the student's assigned school's logo or publicizes a class, club or team that is recognized by the assigned school.

2. Shorts, skorts and capris must cover to the top of the knee when standing.
3. If leggings, jeggings, or tights are worn, the student's top or outer garment must cover to the top of the knee when standing.
4. Skirts shall be at least knee length when the girl is standing erect. Slits in dresses or skirts shall not exceed three inches above the front and/or back of the knee.
5. Pants must be worn above the hip-bone; sagging/bagging is not allowed. At this time, low rider and hip hugger style pants are permissible.
6. All coats, jackets, sweaters, sweatshirts, and any other kind of outer wear must be a solid color or patterned. Outer wear that is spirit wear depicting the school of attendance may be worn.
7. Footwear is required and must be worn; footwear must be safe and appropriate for indoor and outdoor activities. Inappropriate footwear includes, but is not limited to, house shoes/bedroom slippers, and skate shoes.
8. Clothing and accessories including, but not limited to, book bags, backpacks, belt buckles, patches, jewelry, and notebooks must not contain or have printed on them racial/ethnic slurs or symbols, gang symbols/affiliations, or vulgar, obscene, subversive, sexually suggestive language, symbols, or images.

Clothing and accessories such as book bags, backpacks, belt buckles, patches, jewelry and notebooks shall not be derogatory to any individual or groups, or disruptive to the school environment.

Clothing or accessories shall not promote products which students may not legally buy such as alcohol, tobacco, illegal drugs, and controlled substances or promote violence.

9. Items which are prohibited include, but may not be limited to:
  - a. Head apparel (hats/caps, scarves, hair picks, stocking caps, hair curlers, the hoods on hoodies or jackets, etc.) inside the school building, except for religious or medical purposes — doctor's verification of need is required;
  - b. Sunglasses inside the school building, except for health purposes – doctor's verification of need is required;
  - c. Visible body piercing jewelry (including tongue piercing) other than earrings (if worn, earrings must not pose a threat to the student's safety nor be disruptive to the peace and good order of the schools);
  - d. Large, long, and/or heavy chains (including billfold chains); and
  - e. Trench coats, except as needed in very extreme weather.

Tattoos and other similar markings of the skin are discouraged (offensive tattoos must be covered).

The principal may allow exceptions for some of the above listed items for special school activities (this should be very limited) — the noted allowances/exceptions must be made known prior to the special scheduled event.

Appropriate corrective/disciplinary action will be taken by the school administration if a student comes to school in clothing that is not deemed to be appropriate. Corrective/disciplinary action may include, but is not limited to, calling parents to bring appropriate clothing, detention, in-school suspension and/or other disciplinary action as deemed appropriate. Three (3) dress code violations will result in suspension to the Alternative School for no less than twenty (20) days. The principal's discretion shall prevail in regard to appropriate attire for all after-school activities.

The Board expects the Director of Schools to require all principals and all certificated personnel to enforce the above dress code in a consistent manner.

*The dress code for students in elementary school' can be found at [Board Policy 6.3101](#).*

### **Article 3.4 — Use of Cellular Phones and Other Personal Communication Devices in School**

*(Board Policy 6.312) effective with the 2020-21 school year*

Students' use of cellular phones and other communication devices upon entering the school building before 8:00 am is at principal's discretion. After 8:00 am and until 3:00 pm (or when school is officially dismissed), the use of these devices (excluding school issued chrome books) is prohibited unless the school principal has approved a written request from a:

- Teacher for his/her students to use their own devices to enhance learning when the school issued chrome books are not sufficient; or
- Student to self-monitor specific health issues/concerns (must include verification from the medical provider).

For the purpose of this policy, use of such a device means either receiving or sending a message by the emission of an audible signal or sound, vibration, or visual display. The device is deemed to be 'in use', even if the device is not answered.

Possession of a cellular phone or other communication device is not a violation of this policy (except for elementary school students who are not permitted to have a cell phone at school) if the phone or device is in a purse, pocket, book bag, locker, or automobile and is not in use during the regular school day.

School employees who discover a student using a phone or other personal communication device in violation of this policy shall confiscate the device and submit it to the principal or designee.

Violation of this policy will result in the student's cell phone being confiscated as follows:

- 1<sup>st</sup> offense – held for the remainder of the day, to be returned to the student;
- 2<sup>nd</sup> offense – held for the remainder of the day, to be returned to the parent/guardian; and
- 3<sup>rd</sup> offense – the student is not allowed to have a cell phone for the remainder of the school year.

For subsequent violations or if a student fails to relinquish his/her cell phone to the teacher or principal, the student will be sent to the Alternative School for twenty (20) days; qualifying students, with an IEP, must continue to be served in accordance with the applicable state and federal laws.

Students who use the camera component of the cell phone in an unauthorized manner are subject to additional disciplinary measures, as well as reported to the appropriate law enforcement agency, if deemed appropriate.

In case of internet outage – students' use of personal communication devices for instructional purposes shall be at the discretion of the classroom teacher.

This policy shall be included in the *Code of Conduct* which is on the system's web-site.

The use of cell phones by school level staff members (including substitutes) shall be at the discretion of the school principal – but usage should be limited to very unusual or emergency situations. Usage by an employee should be discrete and brief, not in the presence of students, and not interfering or disrupting instruction time.

### **Article 3.5 — Off-Campus Events**

Students at school-sponsored, off-campus events shall be governed by the appropriate rules and regulations of the school or school system and are subject to the authority of the school personnel.

### **Article 3.6 — Attendance** *(Board Policy 6.200)*

The Franklin County School System believes student attendance is essential for student achievement and academic success. Students are expected to be present each day that school is in session. Students must be in attendance three (3) hours and sixteen (16) minutes during a school day to be counted present for the day.

Every parent, guardian, or legal custodian residing within the state of Tennessee having control or charge of any child or children between six (6) years of age and seventeen (17) years of age, both inclusive, shall



cause such child or children to attend public or non-public school, and in event of failure to do so, shall be subject to the penalties hereinafter provided. Tennessee state law requires every child to attend school until his/her eighteenth birthday or until he/she has a high school diploma or high school equivalency.

Per Tennessee law (TCA§49-6-3009), any parent, guardian or legal custodian having control of a child or children and who violates the provisions under the Tennessee compulsory attendance law commits a Class C misdemeanor. Per state law TCA§49-6-3007(f), for each day the child or children have missed school without the proper excuse a parent may be fined fifty (\$50.00) dollars or thirty (30) days in jail for each separate day of unexcused absence. Court costs will also be assessed against the parent case.

All absences must be covered with a parent's note, doctor's note, or other legal note (i.e., Department of Children Services, court, etc.). Five (5) parent notes (not to exceed a total of five days for the whole year) can be used during the year for excused absences. The notes must include student's name, valid reason for absence, date of absence, parental signature, and phone number at which the parent, guardian, or legal custodian can be reached. A doctor's excuse will be required after five (5) days of absences. All notes must be submitted to school before the third day after the student returns to school. Notes containing obvious changes or errors will not be accepted. Forged notes/signatures will be turned over to the proper authorities. The school administration has the right to accept or deny parent/guardian/legal custodian notes over the five-day limit. A student who has five (5) or more unexcused absences is truant.

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

1. Personal illness;
2. Illness of immediate family member;
3. Death in the family;
4. Extreme weather conditions;
5. Religious observances;
6. School sponsored or school related 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 tardiness shall include circumstances which in the judgment of the principal create emergencies over which the student has no control. The principal will take into consideration verification from an official (doctor, court, etc.) in making the determination. The principal will determine the number of parent written excuses (per semester or per year) that will be accepted when considering the determination for an excused tardy.

Parents have the right to appeal at the school level any, and all, absences which are deemed to be coded inappropriately. Disciplinary action taken for tardies/lates and credit received for makeup work will be determined by school administration.

TCA§49-6-3007 requires written notice to be sent to parent/guardian/legal custodian when a student misses five (5) days without proper excuse. Upon receipt of written notice, student and parent/guardian/legal custodian must comply within three (3) days. The student must report to school (be in attendance) and the parent/guardian/legal custodian must contact the school. Failure to comply will result in a truancy petition filed in juvenile court on behalf of the student. Days suspended from school do not count as an unexcused day for attendance purposes (truancy); however, suspended days do accrue for the purpose of obtaining and/or retaining a Tennessee driver's license.

The State of Tennessee considers a student withdrawn from school if he/she misses ten (10) consecutive or fifteen (15) cumulative unexcused days in a single semester.

**Article 3.7 – Attendance during Postsecondary Visits** ([Board Policy 6.2001](#))

While postsecondary school visits are not required, any high school student (classified as a junior and senior) wishing to participate in a postsecondary school visit during the school year shall submit to the principal/designee prior notice from his/her parent/guardian specifying the date of the school visit. The date of the visit to the postsecondary school shall not conflict with mandated testing (either at the state or local level). Special requests from parents of students classified as freshmen or sophomores may be considered by the school principal on a case-by-case basis.

The parent(s)/guardian(s) of the student shall be responsible for facilitating any postsecondary school visits and for ensuring the safety of the student during the visit.

The principal/designee shall count a student (junior or senior) present for no more than three (3) days for students participating in a postsecondary school visit. The student shall be counted present for the day of the postsecondary school visit and shall not be counted present during any travel days.

In order to be counted present for the school day missed, the student shall submit to the principal/designee a signed letter or form from a campus official verifying that the visit to the postsecondary school occurred.

The student shall complete any school work missed due to the student participating in a postsecondary school visit.

**Article 3.8 - Attendance in Regard to Getting and/or Keeping Driver's License**

TCA§49-6-3017 states that the Department of Safety has the right to deny driver's license privileges to persons under eighteen (18) not enrolled in school and not making "satisfactory academic progress." The law describes "satisfactory academic progress" as making a passing grade in at least three (3) full unit subjects or their equivalency at the conclusion of any subsequent grading period. The State of Tennessee considers a student withdrawn from school if he/she misses ten (10) consecutive or fifteen (15) cumulative unexcused days in a single semester. Any student under 18 years of age missing ten (10) consecutive or fifteen (15) total unexcused days of school during any semester or fails to pass three (3) full unit subjects in a single semester renders himself/herself ineligible to obtain or retain a driver's license.

In order for a student to qualify for reinstatement of a revoked driver's license, he/she must attend school as prescribed by law and make a passing grade in at least three (3) full unit subjects or their equivalency at the conclusion of any grading period. Grading periods for driver's license purposes are at the end of the semester. The attendance office at the Central Office has the responsibility to appropriately notify the Department of Safety of all revocation and re-in statements.

**Article 3.9 — Physical Examinations and Immunizations** ([Board Policy 6.402](#))

A complete physical examination is required of every student prior to:

1. Entering school for the first time. This applies to kindergarten, first grade and other students for whom there is no health record; and
2. Participation as a member of any athletic team or in any other physical activity program.

Cost of the examination shall be borne by the parent or guardian of the students.

No student entering school, including kindergarten or first grade, those from out-of-state and those from nonpublic schools, will be permitted to enroll (or attend) without proof of immunization, as determined by the Commissioner of Public Health.

**Article 3.10— Medicine** (*Board Policy 6.405*)

If under exceptional circumstances a child is required to take non-prescription or prescription medication during school hours and the parent/guardian/legal custodian cannot be at school to administer the medication, only the principal or the principal's designee will assist in self-administration of the medication if the student is competent to self-administer medicine with assistance in compliance with the following regulations:

Written instructions **signed by the parent/guardian/legal custodian** will be required and will include:

1. Child's name;
2. Name of medication;
3. Name of physician;
4. Time to be self-administered;
5. Dosage and directions (on the original container) for self-administration (non-prescription medicines must have label directions);
6. Possible side effects, if known; and
7. Termination date for self-administration of the medication.

The medication must be delivered in the original container to the nurse's office in person by the parent/guardian/legal custodian of the student unless the medication must be retained by the student for immediate self-administration (i.e., students with asthma).

The parent/guardian/legal custodian is responsible for informing the designated official of any change in the student's health or change in medication. A copy of this policy shall be provided to the parent/guardian/legal custodian upon receipt of a request for long-term administration of medication.

***Students with Pancreatic Insufficiency or Cystic Fibrosis***

Students diagnosed with pancreatic insufficiency or cystic fibrosis shall be permitted to self-manage their prescribed medication in a manner directed by a licensed healthcare provider without additional assistance or direction. The Director of Schools shall develop procedures for the development of an Individual Health Plan (IHP) and an Emergency Care Plan (ECP) that conforms to state law for every student with pancreatic insufficiency or cystic fibrosis that wishes to self-medicate.

**Article 3.11— Meningococcal: Information about the Disease and Vaccines** (*TCA 49-6-5005*)

Source: "*Meningococcal Questions and Answers*" by Immunization Action Coalition located at St. Paul, MN 55104, ([www.vaccineinformation.org](http://www.vaccineinformation.org))

**What causes meningococcal disease?** Meningococcal disease is caused by the bacterium *Meisseria meningitides*. This bacterium has at least 13 different serogroups. Five of these serogroups, A, B, C, Y, and W-135, cause almost all invasive diseases. The relative importance of these five (5) subgroups depends on geographic location and other factors.

**How does meningococcal disease spread?** The disease is spread person-to-person through the exchange of respiratory and throats secretions (e.g., by coughing, kissing, or sharing eating utensils). Meningococcal bacteria can't live for more than a few minutes outside the body, so the disease is not spread as easily as the common cold or influenza.

**What are the symptoms of meningococcal disease?** The most common symptoms are high fever, chills, lethargy, and a rash. If meningitis is present, the symptoms will also include headache and neck stiffness (which may not be present in infants); seizures may also occur. In overwhelming meningococcal infections, shock, coma, and death can follow within several hours, even with appropriate medical treatment.

**How serious is meningococcal disease?** Meningococcal disease is very serious. About 9 -12 % of people with meningococcal disease die even with appropriate antibiotic treatment. Of those who recover, up to 20% suffer from serious after-effect, such as permanent hearing loss, limb loss, or brain damage.

See [meningococcal disease](#) for additional information.

### **Article 3.12 – Influenza**

Influenza (flu) is a contagious respiratory illness caused by [influenza viruses](#). It can cause mild to severe illness. Serious outcomes of flu infection can result in hospitalization or death. Some people, such as older people, young children, and people with [certain health conditions](#), are at high risk of serious flu complications. There are two main types of influenza (flu) virus: Types A and B. The influenza A and B viruses that routinely spread in people (human influenza viruses) are responsible for seasonal flu epidemics each year. The best way to prevent flu is by getting [vaccinated](#) each year. Additional Information about flu provided by the CDC can be found:

[The Flu: A Guide for Parents](#)

[Flu: What to Do If You Get Sick](#)

[Caring for Someone Sick](#)

[Prevent Seasonal Flu](#)

### **Articles 3.13 – COVID-19**

See [CDC Guidelines](#) for the latest information

A virus, Novel Coronavirus, COVID-19, has created an unprecedented health and economic crisis for Tennesseans. More than three million people in the United States have tested positive for the virus and at this time, there is no known vaccine to prevent the virus. The best way to prevent illness is to avoid exposure to the virus.

The virus is thought to spread mainly from person-to-person:

- Between people who are in close contact with one another (within about 6 feet)
- Through respiratory droplets produced when an infected person coughs, sneezes, or talks.
- These droplets can land in the mouths or noses of people who are nearby or possibly be inhaled into the lungs
- COVID-19 may be spread by people who are not showing symptoms

Suggestions to help prevent the spread of this very serious virus include:

#### **Wash hands often**

- Wash hands often with soap and water for at least 20 seconds especially after you have been in a public place, or after blowing your nose, coughing, or sneezing.
- If soap and water are not readily available, use a hand sanitizer that contains at least 60% alcohol.
- Cover all surfaces of your hands and rub them together until they feel dry.

#### **Avoid touching your eyes, nose, and mouth with unwashed hands**

- Avoid close contact
- Avoid close contact with people who are sick, even inside your home
- If possible, maintain 6 feet between the person who is sick and other household members

#### **Put distance between yourself and other people outside of your home**

- Remember that some people without symptoms may be able to spread the virus
- Stay at least 6 feet (about 2 arms' length) from other people
- Keeping distance from others is especially important for people who are at higher risk of getting sick

### **Cover your mouth and nose with a cloth face cover when around others**

- Everyone should wear a cloth face cover when they go out in public
- Cloth face covering should not be placed on young children under age 2, anyone who has trouble breathing, or is unconscious, incapacitated, or otherwise unable to remove the mask without assistance.
- The cloth face cover is meant to protect other people in case you are infected
- Continue to keep about 6 feet between yourself and others

### **Clean and disinfect**

- Clean and disinfect frequently touched surfaces daily.
- If surfaces are dirty, clean them
- Use a household disinfectant

### **Monitor your health**

People with COVID-19 have had a wide range of symptoms reported – ranging from mild symptoms to severe illness. Some individuals testing positive for the virus have no symptoms. Symptoms may appear 2-14 days after exposure to the virus. People with these symptoms may have COVID-19:

Fever or chills  
Cough  
Shortness of breath or difficulty breathing  
Fatigue  
Muscle or body aches  
Headache  
New loss of taste or smell  
Sore throat  
Congestion or runny nose  
Nausea or vomiting  
Diarrhea

This list does not include all possible symptoms.

### **Article 3.14 — Bus Safety and Conduct** ([Board Policy 6.308](#)) and ([Board Policy 3.400](#))

Bus transportation is only provided from a student's residence to the school for which a student is zoned; the student is then transported back to the student's residence after school is released. In order to maintain conditions and atmosphere suitable for learning, no person shall board a school bus except students assigned to that bus, or other persons with lawful and valid business on the bus. A violation of this law is a Class A misdemeanor.

The school bus is an extension of school activity; therefore, students shall conduct themselves on the bus in a manner consistent with the established standards for safety and classroom behavior. The bus driver is in charge; insubordination will not be tolerated.

Any individual desiring to report a school bus safety issue or concern is encouraged to call 931-967-0626 with the specific concern or email the transportation supervisor directly at [mark.montoye@fcstn.net](mailto:mark.montoye@fcstn.net) or complete the form on the system website at [fcstn.net](http://fcstn.net) (under departments, then transportation, then complete the form and submit the completed form back to Supervisor – Transportation or deliver it personally to the Central Office).

Some safe tips for the school bus are:

- Students should be at the assigned bus stop five (5) minutes prior to the arrival of the bus.

- Students should remain about ten (10) steps from the scheduled bus stop until the driver signals that it is safe to board or cross the street and then proceed cautiously by looking both ways before crossing in front of the bus and by being alert to all vehicular traffic. Similar precautions shall be taken when exiting the bus.
- Students must board the bus only after the bus is fully stopped and the driver signals that it is safe to board or cross the street; similarly students are to leave their seats at the appropriate stop only after the bus has completely stopped.
- Students should get on and off the bus in an orderly manner; crowding, pushing, and shoving are not only unnecessary, but also very dangerous.
- Students shall treat all school bus drivers with the respect that is customarily shown to all parents/guardians/legal custodians and teachers. Students must be encouraged to cooperate and to follow the instructions of the bus driver.
- Students are not permitted to open and/or close windows without permission from the bus driver.
- Students must keep their heads, arms, and legs inside the bus at all times; failure to do so could result in serious injury.
- Students shall keep the aisle and doorway clear at all times; book bags, musical instruments, etc., are to be held on the students' laps or placed on the floor.
- Eating, drinking, and chewing gum are not permitted on the school bus; the use of cell phones (electronic devices) is not allowed on school buses unless approved by the bus driver.
- Students are not to throw objects on the bus, into the bus, or from the bus.
- Students are prohibited from lighting matches, spitting, littering, and using any tobacco products; additionally, fireworks are not allowed on school buses.
- Students are not to scream, yell, or fight on the school bus; these behaviors and other disruptive behaviors present a serious danger to the driver and others. The school administrator, when deemed necessary, shall take immediate appropriate disciplinary actions, including suspension from riding the bus for a short time, or the remainder of the school year.
- A student should report any lost or dropped item(s) to the bus driver.
- Parents/guardians/legal custodians are asked to help their child(ren) and others, when possible, to cross the street to obtain access to the school bus.
- Students are to remain seated throughout a bus trip and not get out of their seats while the bus is moving.
- Students are to use the emergency door for emergencies only.

Any student wishing to ride a bus other than his/her designated bus (for one day or one trip) must have written permission and approval of the principal or his/her designee. The transportation department may determine that students cannot ride on a bus other than his/her designated bus when buses become fully loaded with the students assigned to the bus. At that point, the transportation department will notify the affected schools that no bus passes may be issued for those particular buses.

Any problems associated with the transportation of students should be reported as soon as possible to the Supervisor of Transportation ([mark.montoye@fcstn.net](mailto:mark.montoye@fcstn.net)).

#### Complaint Process ([Board Policy 3.400](#))

The following procedure will govern how students, teachers, staff, and community members shall submit bus safety complaints:

1. All complaints shall be submitted to the transportation supervisor; and
2. The complaint may be submitted in person, via phone call, mail, or email.  
 Written complaints shall be submitted on forms located on the district's website. In the case of a complaint received via phone, the person receiving the phone call shall be responsible for filling out the form and submitting it to the transportation supervisor.



The transportation supervisor shall begin an investigation of all bus safety complaints within twenty-four (24) hours of receipt.

Within forty-eight (48) hours of receipt of the initial complaint, the transportation supervisor shall submit a preliminary report to the director of schools. This report shall include:

1. The time and date the complaint was received;
2. The name of the bus driver;
3. A copy or summary of the complaint; and
4. Any prior complaints or disciplinary actions taken against the driver.

Within sixty (60) school days of receiving the initial complaint, the transportation supervisor shall submit a final written report to the director of schools that details the investigation's findings provided as well as the action taken in response to the complaint.

An annual notice of this complaint process shall be provided to parents and students. This information shall be made available in the '*Code of Conduct*'.

#### **Article 3.15 – System-Wide Communication System**

A system-wide communication system is used to notify parents in a timely manner of any change to the normal school day (early dismissal, closure, etc.) and other important announcements of the school and/or school system. Correct and valid telephone numbers or emails are critical for this system to work effectively. The notifications that are issued will be received, accurately, and promptly, if the parent/guardian/legal custodian ensures that the student contact information on file at school is current. Please notify the school if there are changes in regard to appropriate contact information.

#### **Article 3.16 — Safety ([Board Policy 3.201](#)) and Safety Plan – System Level and School Level**

Numerous efforts are made to ensure the safety and well-being of all students and staff during the regular school day as well as before and after school. A system-wide safety plan with established procedures has been developed to address specific emergencies; furthermore, each school has its own safety plan with an identified safety team to assume control of the situation if an emergency occurs. Numerous safety drills are conducted throughout the school year; the school buses even have safety drills to help in a crisis situation.

#### **Article 3.17— Transfers within the System ([Board Policy 6.206](#))**

During summer break, up to two (2) weeks prior to the beginning of the school year, a parent/guardian of may request that his/her child attend a school other than the one to which the child is zoned (to the school for which bus service is provided). The director of schools or his/her designee shall review such requests and, if adequate space is available, grant such transfers unless a transfer would be adverse to the best interests of the child or school system. The student must provide his/her own transportation to and from the school. The student is expected to remain in this school for the school year. After a student has enrolled in a particular school in accordance with Board Policy, he/she will not be permitted to transfer to another school during the school year unless there is a change in residence of the student's parent/guardian/legal custodian if it is a school outside his/her zone. Any exception to this policy must be brought before the Director of Schools for evaluation and decision.

### **Section IV — Acts in Violation of Laws ([TCA 49-6-4301](#))**

All acts committed by a student that are in violation of the law shall be reported immediately to the local law enforcement officials by the school principal or designee. Examples (not to be considered an exclusive listing) of such offenses are:

1. The use, sale, or possession of illegal drugs or drug paraphernalia on school property, a school bus, or at any school event or activity;
2. The illegal use, sale, or possession of other controlled substances such as prescription drugs or facsimiles (look-alike drugs) whose possession, transfer, or use thereof is regulated in any manner by any governmental agency, or is not in the best interest of the school or its students;
3. The sale of alcohol on school property, a school bus, or at any school event or activity. The use and/or possession of alcohol on school property, a school bus, or at any school event or activity may be handled administratively or reported to a law enforcement agency, depending upon the situation;
4. The possession of pistols, guns, or firearms, real or look-alike, operable or non-operable; knives or other edged weapon(s), or any other weapon as defined in *TCA 39-17-1301*; chemicals, such as tear gas or mace, which have the capacity to injure or make an individual defenseless, and explosive or incendiary devices on school property, a school bus, or at any school event or activity (*TCA 39-17-1309*);
5. A physical assault, or threatened physical assault, to a teacher, principal, student, School Resource Officer or other employee of the school system (*TCA 39-13-101*);
6. Battery (*TCA 39-13-101*);
7. Manslaughter (*TCA 39-13-211*);
8. Kidnapping (*TCA 39-13-303*);
9. Robbery (*TCA 39-13-401*);
10. Rape (*TCA 39-13-503*);
11. Statutory rape (*TCA 39-13-506*);
12. Sexual battery (*TCA 39-13-505*);
13. Attempted rape (*TCA 39-12-101*);
14. Threats, intimidation or extortion (*TCA 39-14-112*);
15. Arson (*TCA 39-14-301*);
16. Criminal trespass/trespass in a school building (*TCA 39-14-405*);
17. Injuring or defacing school property (*TCA 39-14-408*); and
18. Interference with government operations (false reports; i.e., intentionally initiating or circulating a report of a past, present, or impending bombing, fire or other emergency, knowing that the report is false or baseless) (*TCA 39-16-502*).

**Article 4.1 — Use of Tobacco Products** ([\*Board Policy 1.803\*](#))

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

Employees and students in the school district are not be permitted to use these products while they are participants in any class or activity in which they represent the school district.

Any student who possesses these products shall be issued a citation by the school principal/resource officer. The director of schools, in cooperation with 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. Parents and students shall be notified of this citation requirement at the beginning of each school year.

Signs will be posted throughout the district's facilities to notify students, employees and all other persons visiting the school that the use of these products is forbidden.

*TCA 39-7-1505* (2001) prohibits any person under the age of 18 to possess, purchase, or accept receipt of a tobacco product. Furthermore, it is illegal to present or offer unto any person any false



proof of age for the purpose of purchasing or receiving any tobacco product. Violation of this code is punishable by a fine between \$10 and \$50 and up to 50 hours of community service.  
*Source: NASBE Policy Database.*

**TCA 39-17-1604** (2000) prohibits smoking in all public and private kindergarten, elementary and secondary schools. Adult staff members are, however, permitted to smoke outdoors, but not within 100 feet of any entrance into the building, and on school grounds after school hours, but not blocking any entrance to any building and not in any public seating area, bleachers or sporting events, or public restrooms. Additionally, **TCA 39-17-1803** (2007) prohibits smoking in enclosed school buildings. *Source: NASBE Policy Database.*

**Article 4.2 — Student Alcohol and Drug Testing** ([Board Policy 6.3071](#))

According to TCA 49-6-4213, a student may be subject to testing for drugs if there are reasonable indications to the principal that said student may have used or is under the influence of drugs. The standards of reasonableness stated below must be met. Tests shall be conducted by properly trained persons in circumstances that ensure integrity, validity, accuracy of the tests but are minimally intrusive and maximum privacy to the tested student.

Students will be notified in writing at the beginning of each school year or at the time of enrollment that they shall be subject to testing for drugs and alcohol during the school year.

**Alcohol**

Students shall not acquire, possess, use, sell, attempt to sell, purchase, barter, distribute, or be under the influence of alcoholic beverages or intoxicants of any kind in school buildings or on school grounds at any time, or in school vehicles or buses, or at any school-sponsored activity, function or event, whether on or off the school grounds.

**Illegal or Controlled Substances, Imitation Drugs, and Drug Paraphernalia**

Students shall not acquire, possess, use, sell, purchase, barter, distribute, or be under the influence of illegal or controlled substances or any substance used as a drug, in school buildings or on school grounds at any time, or in school vehicles or buses, or at any school-sponsored activity, function or event, whether on or off the school grounds.

Nor will students be in possession of, or attempt to market or distribute any substance which is represented to be or substantially similar in color, shape, size or markings of a controlled substance (imitation drug) in school buildings or on school grounds at any time, or in school vehicles or buses, or at any school-sponsored activity, function or event, whether on or off the school grounds.

Students shall not be in the possession of drug paraphernalia in school buildings or on school grounds at any time, or in school vehicles or buses, or at any school-sponsored activity, function or event, whether on or off the school grounds.

Incidents involving drugs and controlled substances shall be handled in consideration of the [Board Policy 6.309](#).

**Random Drug Testing**

Due to the severity of the drug use problem, both locally and throughout the state, students involved in any voluntary athletic activities shall be subject to random drug tests. Parents and students will be informed of this policy prior to participation and shall sign a consent for the drug testing and a release of information as a condition of participation.

Information regarding drug testing of athletes can be found in [Board Policy 6.3072](#).

**Article 4.3 — Weapons and Dangerous Instruments** ([Board Policy 6.309](#))

Students shall not possess, handle, transmit, use, or attempt to use, any dangerous weapon in school buildings or on school grounds at any time, or in school vehicles and/or on school grounds, at a school-sponsored activity, function, or event.

Dangerous weapons, for the purpose of this policy, shall include, but are not limited to, a firearm or anything manifestly designed, made, or adapted for the purpose of inflicting death or serious bodily injury, or anything that in a manner of its use, or intended use, is capable of causing death or serious bodily injury. Appropriate disciplinary actions will be taken if a student is found to violate this section. Possession of a firearm on school property is a *Zero Tolerance Offense* and the student shall be expelled for not less than one (1) calendar year; the decision may be appealed to the Director of Schools.

**Article 4.4 — Recovery for Damage** ([Board Policy 6.709](#))

Students who destroy, damage, or lose school property, including, but not limited to, buildings, school buses, books, equipment, and records, will be responsible for the actual cost of replacing or repairing such materials or equipment.

State law (*TCA 37-10-101*) allows a school system to recover damages from the parents/guardians/legal custodians of all minors under eighteen (18) years of age who maliciously or willfully cause personal injury or destroy(s) property, real, personal or mixed, belonging to the school system. The recovery shall be limited to the actual damages in an amount not to exceed ten thousand (\$10,000) dollars, together with court costs and attorney fees.

**Article 4.5 - Reinstate Driver's License/Tennessee Drug-Free Youth Act** ([TCA 49-6-451](#))

*In compliance with Juvenile Offender Act TCA 55-10-70; more information may be obtained from the Department of Safety.*

The Tennessee Drug-Free Youth Act provides for the denial of driver's licenses for alcohol and other drug convictions of persons ages 13-17. For the first offense, the driver's license can be revoked by the Department of Safety for one (1) year or until the person becomes 17, whichever is longer. For second and subsequent offenses, the license can be denied for two (2) years or until the person becomes 18, whichever is longer. For persons ages 12 or under, the Tennessee Drug-Free Youth Act does not provide a penalty for alcohol-drug related offenses; therefore, the Juvenile Court will designate the penalty according to the offense.

If a student's ability to operate a motor vehicle is suspended due to a drug or weapon charge heard by Juvenile Court, the student must return to Juvenile Court in order to have the driving restrictions lifted. The student may apply for reinstatement by filing of a motion obtained from the Juvenile Court Clerk's office. To qualify for a reinstatement, the student must have attended a court ordered class and the student's suspension must have expired. Alternatively, the student may apply for an early reinstatement or restricted license under certain circumstances. Again, such a request for an early reinstatement may be accomplished by filing a motion with the Juvenile Court Clerk's office. The Juvenile Court Clerk's office will inform the student of the appropriate court date.

***More information about the Juvenile Offender Act may be obtained from the Department of Safety (TCA 55-10-701).***

**Section V — Disciplinary Sanctions** ([Board Policy 6.313](#))

The following levels of misbehavior and disciplinary options are designed to protect all members of the educational community in the exercise of their rights and duties.

**Level I Misbehaviors:** This is 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 and should be handled by an individual staff member.

*Examples (not an exclusive listing):*

- Inappropriate note writing and/or passing
- Inappropriate access to, possession of, and use of technology
- Dress that is offensive or distracting and attracts undue attention
- Classroom disturbances
- Classroom tardiness
- Cheating and lying
- Abusive language
- Non-defiant failure to do assignments or carry out directions
- Discrimination/harassment based on gender, sexual orientation, race, ethnicity, religion, and physical condition or appearance

**Level II Misbehaviors:** This is misbehavior whose frequency or seriousness tends to disrupt the learning environment of the school. Included in this level are misbehaviors which do not represent a direct threat to the health and safety of others but whose educational consequences are serious enough to require corrective action on the part of the administrative personnel.

*Examples (not an exclusive listing):*

- Continuation of unmodified Level I behaviors
- School or class tardiness
- School or class truancy
- Use of tobacco – requires citation to Juvenile Court if less than eighteen (18) years of age
- Using forged notes or excuses
- Disruptive classroom behavior
- Discrimination/harassment based on gender, sexual orientation, race, ethnicity, religion, and physical condition or appearance
- Libel, slanderous remarks, and obscenity in verbal/written expression, or possession of pictorial/pornographic materials, including, but not limited to, the inappropriate use of cell phone/computer photography on school grounds or at school-related events or activities

**Level III Misbehaviors:** These are acts that are 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):*

- Continuation of unmodified Level I and II behaviors
- Fighting (simple)
- Vandalism (minor)
- Stealing
- Threats to others
- Discrimination/harassment based on gender, sexual orientation, race, ethnicity, religion, and physical condition or appearance
- Libel, slanderous remarks, and obscenity in verbal/written expression, or possession of pictorial/pornographic materials, including, but not limited to, the inappropriate use of cell phone/computer photography on school grounds or at school-related events or activities

**Level IV Misbehaviors:** These are acts which result in violence to another 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 that result in the immediate removal of the student from school, the intervention of the appropriate law enforcement agency, and action by the Board.

*Examples (not an exclusive listing):*

- Unmodified Level III behaviors
- Extortion
- Death threat (hit list)
- Bomb threats
- Possession of pagers (beepers)
- \* Possession/use/transfer of dangerous weapons
- \* Assault/battery
- Vandalism
- Theft/possession/sale of stolen property
- Arson
- Possession/use/transfer of unauthorized illegal substances (including look-a-likes)
- Discrimination/harassment based on gender, sexual orientation, race, ethnicity, religion, and physical condition or appearance
- Libel, slanderous remarks, and obscenity in verbal/written expression, or possession of pictorial/pornographic materials, including, but not limited to, the inappropriate use of cell phone/computer photography on school grounds or at school-related events or activities.

## **Section VI — Procedural Due Process** ([Board Policy 6.302](#))

Before school authorities administer disciplinary measures, reasonable inquiry shall be made to determine the truth of the alleged misconduct or offense. The nature of this inquiry will vary in degree with the seriousness of the offense and the consequence(s) attached thereto.

For minor offenses where corrective measures are taken by the classroom teacher, no formal procedure is required. An inquiry into the incident shall be conducted to ensure that the offender is accurately identified, that he or she understands the nature of the offense, and that he or she knew the consequences of the offense for which he or 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 or 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 would justify a suspension for more than ten (10) days, the parent/guardian/ legal custodian and student must be advised of the right to appeal the suspension to the disciplinary hearing authority.

## **Section VII — Zero Tolerance** ([TCA 49-6-3401\(g\)](#) and [Board Policy 6.309](#))

Zero Tolerance means that the violation of such policy will not be tolerated and the violators will receive certain, swift, and reasonable punishment. Zero Tolerance Offenses are defined as those involving firearms, drugs, and battery as described below:

1. Bringing to school, or being in unauthorized possession on school property of, a firearm (as defined in *Title 18 of the United States Code*);
2. A student committing who commits aggravated assault<sup>5</sup> or commits assault that results in bodily injury upon any teacher, principal, administrator, any other employee of the school, or school resource officer;
3. Unlawfully possessing, using, selling, purchasing, attempting to purchase or sell, bartering, distributing or being under the influence of any drug, including any controlled substance, in school buildings or on school grounds at any time, or in school vehicles or buses, or at any school-

sponsored activity, function or event, whether on or off the school grounds as defined in *TCA 39-17-403*; *TCA 39-17-415*, and *TCA 53-10-101*. This section does apply to non-controlled substances defined as “synthetic drugs”; or

4. Transmitting 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 disruptive activity at the school that requires administrative intervention.

Any student violating any of the above listed conditions shall be expelled for a period of not less than one (1) calendar year.

## **Section VIII — Corporal Punishment** ([\*Board Policy 6.314\*](#))

Any principal, assistant principal, or teacher may use corporal punishment in a reasonable manner against any student for good cause in order to maintain discipline and order within the public schools in accordance with the following guidelines:

1. A student’s parent(s) or guardian(s) shall be given an opportunity to express a preference as to whether corporal punishment may or may not be administered against the student. Such preference shall be expressed on a written disciplinary preference form designated by the Director of Schools and sent to parents and guardians by school principals at the beginning of the school year. A parent or guardian may change a previously stated preference by completing and submitting a new form;
2. Corporal punishment may be administered against a student only if the school has received a disciplinary-preference form for the current school year signed by the student’s parent or guardian authorizing the school to administer corporal punishment against the student;
3. Corporal punishment shall be administered only after other less stringent measures or behavior modifications have failed;
4. The instrument to be used shall be approved by the director of schools by administrative directive;
5. Corporal punishment shall be administered in the presence of another professional employee, preferably the principal or assistant principal; the preferred site is in the office area;
6. An attempt shall be made to notify the student’s parents or guardians prior to administering corporal punishment; the parents or guardians shall be invited to witness the administration of the punishment; and
7. The nature of the punishment shall be such that it is in proportion to the gravity of the offense, the apparent motive and disposition of the student, and the influence of the student’s example and conduct on others.
8. If a student has a disability, corporal punishment shall be administered only when the school has received written parental permission. The parental permission must include the type of corporal punishment that is allowed and the circumstances under which it is permitted. This information will be kept on file at the school. It may be revoked at any time; and
9. The principal shall notify the parent(s)/guardian(s) any time corporal punishment is used.

A disciplinary record shall be maintained and shall contain the name of the student, the type of misconduct, the type of corporal punishment administered, the name of the person administering the punishment, the name of the witness present, and the date and time of punishment.

## **Section IX — Student Disciplinary Hearing Authority** ([Board Policy 6.317](#))

A Student Disciplinary Hearing Authority (SDHA) conducts hearings for students who have been suspended for more than ten (10) days by the principal or assistant principal and for whom a hearing has been requested. Each hearing shall be conducted by at least three (3) members of the SDHA. The hearing must be held, a decision must be rendered, and notification of the decision must be provided to the parents/guardians/legal custodians 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.

The SDHA may take the following disciplinary actions:

1. Affirm the decision of the school principal;
2. Order removal of the suspension unconditionally;
3. Order removal of the suspension upon such terms and conditions as it deems reasonable;
4. Remand the student to 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 parent/guardian/legal guardian of the involved student, or the school principal, the Director of Schools shall grant a second hearing.

## **Section X – Alternative School** ([Board Policy 6.319](#)) up-dated 7-13-2020

An alternative school is a short-term intervention program designed to provide educational services outside the regular school program for students who have been suspended or expelled. The alternative school is located in a separate facility from the regular school program.

An alternative program is a short-term intervention program designed to provide educational services outside the regular school program for students who have been suspended or expelled. Alternative programs may be located within the regular school or be a self-contained program within a school. Alternative programs shall include, but are not limited to, in-school suspension.

The Board shall operate an alternative school program for students in grades 6 - 12 who have been suspended or expelled from regular school programs. If the Student Disciplinary Hearing Authority (SDHA) or director of schools orders the student to attend the alternative school, attendance shall be mandatory. Students attending the alternative school shall provide their own transportation.

The student shall be subject to all rules of the alternative 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. The final decision on such removal shall be made by the director of school.

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

Students who are suspended, remanded to the alternative school, or expelled may not attend any school related functions or activities, unless granted permission by the building principal and director of schools.

A student may be removed from the alternative school or program if:

1. He/she violates the rules of the alternative school or program; or
2. He/she is not benefitting from the assignment and all interventions have been exhausted unsuccessfully.



Any new disciplinary offense committed during a student's original suspension or expulsion period shall be treated as a new and separate offense. These offenses shall not constitute an extension of the original suspension or expulsion.

The Director of Schools/designee shall develop procedures regarding the implementation of transition plans for the integration of students assigned to the alternative school.

## **Section XI — Interrogations and Searches** ([\*Board Policy 6.303\*](#))

### **Article 11.1 — General Searches**

School personnel may conduct general searches of school property at any time for the purpose of enforcing school regulations of health, safety, or order.

### **Article 11.2 — Specific Searches**

Any search of school property assigned to a specific student may be made if school authorities have reasonable cause to believe that the property contains an item, the possession of which constitutes a crime or code violation or threatens a disruption of the educational process.

### **Article 11.3 — Searches of Person and Property**

An administrator may search that student's person and the personal property of that student, including bags, briefcases, purses, automobiles, etc., upon good cause, or reasonable suspicion that a student may possess illegal items (firearms, weapons, drugs, etc.) or other items reasonably determined to be a threat to the safety or security of others, or items which are used, or attempted to be used, to disrupt or interfere with the educational process.

Vehicles parked on school property by students and others are subject to search for drugs, drug paraphernalia, or dangerous weapons.

### **Article 11.4 — Lockers**

Students at some schools are assigned school lockers during the school year for the sole purpose of storing supplies, clothing, and other items essential to their daily needs while in attendance at school.

Lockers are the property of the school. Students should be aware that they do not have exclusive possession of assigned lockers since school administrators have the right to conduct specific or general searches.

### **Article 11.5 — Seizure**

Illegal items (firearms, weapons, drugs, etc.), or other items reasonably determined to be a threat to the safety or security of others, or items which are used, or attempted to be used, to disrupt or interfere with the educational process, will be removed from student possession. Items properly removed from the person of a student, or found through a proper search, may be turned over to the appropriate law enforcement agency. The school administrator may request that a particular parent/guardian/legal custodian come to school to retrieve a specific confiscated item which has disrupted, or attempted to disrupt, the educational program. The proper law enforcement agency must be notified if a student is in illegal possession of a firearm on school property.

### **Article 11.6 — Interrogations** ([\*Board Policy 6.303\*](#))

By School Personnel—

Students may be questioned by teachers or the school principal about any matter pertaining to the operation of the school and/or enforcement of the school rules. Questioning must be conducted discreetly and under circumstances that 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.

**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 in school during school hours. The principal shall first attempt to notify the student's parents/guardians/legal custodians of the intended interrogation unless circumstances require otherwise. The presence of the parents/guardians/legal custodians is recommended at this interrogation. The interrogation may be delayed until a parent can be present unless the safety of others at the school would be compromised by a delay. The principal/designee shall be present during the interrogation.

**Police-Initiated Interrogations—**

If the police deem circumstances of sufficient urgency to interrogate students for non-school related incidents committed outside of school hours, then all such interrogations shall take place off of school grounds. The principal/ designee shall make reasonable attempts to contact the student's parents/guardians/legal custodians of the interrogation. The police or other law enforcement authority shall make whatever decision they deem necessary to continue with the interrogation outside the presence of the parents/guardians/legal custodians. Neither school principals nor their designees shall be called upon to make probable cause decisions regarding events that did not occur on school grounds or during school hours and it is not necessary for principals to be present during any such interrogations.

**Article 11.7 – Guidelines for the Use of Dogs** *(Administrative Procedure 6.303.2)*

Dogs and other animals may not be used to search the persons of students or visitors. However, if and when an entire group of students is asked to physically exit a classroom or other school setting, leaving their personal belongings (including, but not limited to books, book bags, coats) behind, dogs or other animals trained to detect drugs or other weapons may be used to pinpoint areas which need to be searched.

**Section XII — Acceptable Use Policy: Computer and Internet Use** [\*\(Board Policy 4.406\)\*](#)

Access to the world-wide web via network is available to students, teachers, and administrators in the Franklin County School System. The goal in providing this service is to promote educational excellence by facilitating resource sharing, innovation, and communication via library resources, research institutions, file sharing, and electronic mail, as well as other online resources. This world-wide access carries with it availability to material that may not be considered to be of educational value within the context of a school setting; therefore, precautions must be taken to restrict access to controversial materials. This requirement is daunting because, on a global network, it is impossible to control all materials, and any industrious user may be able to discover controversial information, either intentionally or accidentally. The Franklin County Schools' internet service provider coordinates network access through external state, regional, and federal agencies, and provides firewall protection that filters out sites deemed unacceptable by the Franklin County Board of Education. Further, the Technology Department provides content filtering and network security through the use of content management software that can detect and/or block access to inappropriate material such as adult/mature content and pornography/sex and monitor usage by both students and employees. The smooth operation of the network ultimately relies *upon proper conduct by the user who must adhere to strict guidelines*. These guidelines are provided herein so that users are aware of the responsibilities that accompany use of the network provided by Franklin County Schools through its internet service provider (ISP). Violation of these provisions by the user constitutes a break in the agreement entered into herein which will result in termination of the user's account and denial of access to the network through the Franklin County School System. *The signatures at the beginning of this document are legally binding and indicate that the parties have read the terms and conditions stated herein and understand their significance.*



CIPA is a federal law, 47 CFR§54.520, enacted by congress to address concerns about children's access to offensive content over the internet and library computers. CIPA imposes requirements on all schools and libraries that receive funding for internet access or internet connections from the E-rate program, a program that makes certain communications technology more affordable for eligible schools and libraries. In the early 2001, the Federal Communications Commission (FCC) issued rules implementing CIPA. More recently, congress enacted additional protections for children using the internet. In addition, TCA § 49-1-221, requires all Tennessee local education agencies (LEAs), not just those requesting federal E-rate funds, to file with the commissioner of education an internet acceptable use policy approved by the local board containing certain provisions listed in the statute.

### ***Internet Safety Instruction***

Students will be given appropriate instruction in internet safety as a part of any instruction utilizing computer resources. The internet safety instruction must include appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, cyberbullying awareness, and response. Parents and students will be provided with material to raise awareness of dangers posed by the internet and ways in which the internet may be used safely.

### ***Terms and Conditions of User's Agreement***

#### **Article 12.1 — Acceptable Use**

The use of the system's technology (including the network) must be in support of education and research, or the business of Franklin County Schools, and must be consistent with the educational objectives of the school system. Transmission or reception of any material in violation of any United States or Tennessee regulation is prohibited. This includes, but is not limited to, copyrighted materials, threatening or obscene material, child pornography, or material protected by a trade secret or intellectual property rights. The unauthorized and illegal downloading of any copyrighted music is strictly prohibited for users of the network provided by Franklin County Schools. Any use for commercial activities, product advertising, or political lobbying is not acceptable.

#### **Article 12.2 — Privileges**

The use of Internet is a privilege, not a right, and inappropriate use will result in cancellation of these privileges. The Director of Schools, the school administration, or the technology department will deem what is inappropriate use based on these guidelines, and the decision is final. The administration at any level may close an account at any time as required. The administration, faculty, and/or staff may request the technology department to deny, revoke, or suspend user accounts.

#### **Article 12.3 — Net Etiquette and Ethical Use**

Users are expected to abide by the generally accepted rules of network etiquette and ethical information security practices. These include, but are not limited to, the following:

- Be courteous and polite. Avoid offensive and inflammatory speech. Sending or displaying offensive messages or pictures is not allowed. No form of harassment, belittlement, or attacking of others is allowed. Inappropriate language, profanity and/or obscenity are not permitted at any time.
- Do not reveal your personal information, such as social security numbers, personal address, financial information, or phone numbers of students or colleagues.
- Do not trespass on the folders or files of others without their permission, regardless of whether it is technically possible for you to do so. No attempt should be made to tamper with other people's data, disrupt the work of others, or to gain unauthorized access to accounts or files on the network.
- Do not send bogus messages or warnings designed to look like they come from a network source in order to create apprehension or confusion among other users.
- Network server space is limited; personal work, electronic mail, and files no longer needed must be deleted regularly.

- Note that electronic mail is not guaranteed to be private. People who operate the system have access to mail on various servers. Messages relating to, or in support of, illegal activities will be reported to the proper authorities.
- The network should not be used for personal communications or matters unrelated to the business of Franklin County Schools.

#### **Article 12.4 — Vandalism**

Vandalism is defined as any malicious attempt to harm or destroy data of another user or another network connected to the internet backbone. This includes, but is not limited to, damaging computer hardware, computer systems, networks, and the creation, uploading, or dissemination of any computer virus, spyware, spam, or any other form of malicious code. Vandalism can result minimally in a cancellation of privilege, but legal action may be taken as well as appropriate disciplinary action.

#### **Article 12.5 — Security**

Security on any computer system is a high priority, especially when the system involves many users. Please see *Information Security and Procedures for Franklin County Schools* (published by the Technology Office) for more specific information. Confidential information regarding citizens in the Franklin County Schools will be securely protected on all laptop computers and other removable storage devices. Users must never share account passwords or use of accounts with anyone. Users have full responsibility for the use of their accounts and are liable for any policy or procedural violations that are traced to the account. Both students and employees will be banned from the use of system computers if inappropriate and/or unlawful sites are found to have been accessed. Furthermore, the appropriate law enforcement agency will be notified if pornography is found and appropriate disciplinary action will be taken if an individual is found to use school computers for illegal purposes or for purposes that violate these guidelines and instructions. Such actions may range from an oral reprimand to dismissal and consequential loss of one's teaching license, if applicable.

#### **Article 12.6 — Acceptance of Terms and Conditions**

These terms and conditions reflect the entire agreement of the parties and supersede all prior oral and written agreements and understandings of the parties. These terms and conditions shall be governed and interpreted in accordance with the laws and regulations of the State of Tennessee and the United States of America.

### **Section XIII — Students with Disabilities**

Federal and state guidelines will be followed as they relate to the discipline of students with disabilities. Contact the Director of Exceptional Children Services (931) 962-0626 for additional information.

### **Section XIV — Non-Discrimination and Harassment**

#### **Article 14.1 — Non-Discrimination**

Franklin County Schools in its employment of personnel and in its educational activities with students does not discriminate on the basis of race, religion, creed, sex, gender, gender identity, sexual orientation, national origin, color, age, and/or disability. Franklin County Schools does provide access to Boy Scouts, Girl Scouts, and other youth groups designated by federal or state law.

#### **CIVIL RIGHTS COMPLIANCE**

Franklin County Schools is committed to ensuring that all students and adults are given the opportunity to learn, participate, and work in an environment that is free from discrimination by adhering to the following laws:

- Title VI of the Civil Rights Act of 1964 – this law prohibits discrimination on the basis of race, color, or national origin.
- Title IX of the Educational Amendments of 1972 – this law prohibits discrimination on the basis of sex. **All forms of sexual harassment and discrimination on the basis of sex are prohibited.** If you would like to file a Title VI or Title IX complaint, or have inquiries, please contact:

Title VI Coordinator  
215 S. College Street  
Winchester, TN 37398  
Email: linda.foster@fcstn.net  
Phone: 931-967-0626

Title IX Coordinator  
215 S. College Street  
Winchester, TN 37398  
Email: diana.spaulding@fcstn.net  
Phone: 931-967-0626

Section 504 of the Rehabilitation Act of 1973 & Title II of the Americans with Disabilities Act of 1990 – these laws prohibit discrimination on the basis of disability. If you would like to file a 504 or Title II complaint, or have inquiries, please contact:

504 Coordinator  
215 S. College Street  
Winchester, TN 37398  
Email: jenny.crabtree@fcstn.net or  
diana.spaulding@fcstn.net  
Phone: 931-967-0626

Title II Coordinator  
215 S. College Street  
Winchester, TN 37398  
Email: linda.foster@fcstn.net  
Phone: 931-967-0626

To request an accommodation, please contact the appropriate school principal or supervisor. Interpreters for the deaf or hard of hearing must be requested forty-eight (48) hours prior to the event. Questions or concerns may be referred to the Central Office (931-967-0626).

Franklin County Schools  
215 S. College Street  
Winchester, TN 37398  
Phone: 931-967-0626

For further information about students' rights and services, contact the Tennessee Department of Education:

Andrew Johnson Tower  
710 James Robertson Parkway  
Nashville, TN 37243  
www.state.tn.us/education  
Phone: 615-741-2731

- Title VII of the Civil Rights Act of 1964 – this law protects individuals against employment discrimination on the basis of race, color, religion, sex, as well as national origin. If you would like to file a Title VII complaint or have inquiries, please contact:

Supervisor – Human Resources  
Franklin County Schools  
215 S. College Street  
Winchester, TN 37398  
Phone: 931-967-0626

For further information on notice of non-discrimination, visit <http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm> for the address and phone number of the office that serves your area, or call 1-800-421-3481.

**Article 14.2 — Student Discrimination/Harassment and Bullying, Cyber-bullying and Intimidation**  
**(Board Policy 6.304).**

In order to maintain a safe, civil, and supportive environment in school for students to learn and achieve high academic standards, acts of bullying, cyber-bullying, discrimination, harassment, intimidation, hazing, or any other victimization of students, based on any actual or perceived traits or characteristics, are prohibited.

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

**Definitions**

“Bullying/Intimidation/Harassment” is an act that substantially interferes with a student’s educational benefits, opportunities, or performance, and the act has the effect of:

1. Physically harming a student or damaging a student’s property;
2. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student’s property;
3. Causing emotional distress to a student; or
4. Creating a hostile educational environment.

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

“Cyber-bullying” is a form of bullying undertaken through the use of electronic devices. Electronic devices include, but are not limited to, telephones, cellular phones or other wireless telecommunication devices, text messaging, emails, social networking sites, instant messaging, videos, web sites, or fake profiles.

“Hazing” is an intentional or reckless act by a student or group of students that is directed against any other student(s) that endangers the mental or physical health or safety of the student(s) or that induces or coerces a student to endanger his/her mental or physical health or safety. Coaches and other employees of the school district shall not encourage, permit, condone, or tolerate hazing activities.

**Complaints and Investigations**

Any individual who has knowledge of behaviors that may constitute a violation of this policy shall promptly report such information to the principal/designee. While reports may be made anonymously, an individual's need for confidentiality shall 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 actions to resolve a complaint. The identity of parties and witnesses may be disclosed in appropriate circumstances to individuals with a need to know.

The principal/designee at each school shall be responsible for investigating and resolving complaints. Once a report is received, the principal/designee shall initiate an investigation within forty-eight (48) hours of receipt of the report. If an investigation is not initiated within forty-eight (48) hours, the principal/designee shall provide the Director of Schools with appropriate documentation detailing the reasons why the investigation was not initiated within the required timeframe. The principal/designee

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

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

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

Upon the determination of a violation, the principal/designee shall conduct a prompt, thorough, and complete investigation of each alleged incident. All investigations shall be completed and appropriate intervention taken within twenty (20) calendar days from the receipt of the initial report. If the investigation is not complete or intervention has not taken place within twenty (20) calendar days, the principal/designee shall provide the Director of Schools with appropriate documentation detailing the reasons why the investigation has not been completed or the appropriate intervention has not taken place. Within the parameters of the federal Family Educational Rights and Privacy Act, a written report on the investigation will be delivered to all involved parties and the Director of Schools.

### **Response and Prevention**

The principal/designee shall consider the nature and circumstances of the incident, the age of the individual, the degree of harm, previous incidences or patterns of behavior, or any other factors, as appropriate, to properly respond to each situation. A substantiated charge against an employee shall result in disciplinary action up to and including termination. The employee may appeal this decision by contacting the Director of Schools. A substantiated charge against a student may result in corrective or disciplinary action up to and including suspension. The student may appeal this decision in accordance with disciplinary policies and procedures.

### **Reports**

When a complaint is filed alleging a violation of this policy where there is physical harm or the threat of physical harm to a student or a student's property, the principal/designee of each middle school, junior high school, or high school shall report the findings and any disciplinary actions taken to the Director of Schools and the Chair of the Board. By July 1st of each year, the Director of Schools/designee shall prepare a report of all of the bullying cases brought to the attention of school officials during the prior academic year. The report shall also indicate how the cases were resolved and/or the reasons they are still pending. This report shall be presented to the Board at its regular July meeting, and it shall be submitted to the state department of education by August 1st.

### **Retaliation and False Accusations**

Retaliation against any person who reports or assists in any investigation of an act alleged in this policy is prohibited. The consequences and appropriate remedial action for a person who engages in retaliation shall be determined by the principal/designee after consideration of the nature, severity, and circumstances of the act. False accusations accusing another person of having committed an act prohibited under this policy are prohibited. The consequences and appropriate remedial action for a person found to have falsely accused another may range from positive behavioral interventions up to and including expulsion.

**Article 14.3 — Title IX and Sexual Harassment** ([Board Policy 6.3041](#)) 7-13-2020

In order to maintain a safe, civil, and supportive learning environment, all forms of sexual harassment and discrimination on the basis of sex are prohibited. This policy shall cover employees, employees' behaviors, students, and students' behaviors while on school property, at any school-sponsored activity, on school-provided equipment or transportation, or at any official school bus stop in accordance with federal law. This policy shall be disseminated annually to all school staff, students, and parent(s)/guardian(s). The Title IX Coordinator as well as any personnel chosen to facilitate the grievance process shall not have a conflict of interest against any party of the complaint. These individuals shall receive training as to how to promptly and equitably resolve student and employee complaints.

All employees shall receive training on complying with this policy and federal law.

**Title IX Coordinator**

The Title IX Coordinator shall respond promptly to all general reports as well as formal complaints of sexual harassment. He/she shall be kept informed by school-level personnel of all investigations and shall provide input on an ongoing basis as appropriate. Any individual may contact the Title IX Coordinator at any time using the information below:

<b>Title:</b>	<b>Franklin County Schools Title IX Coordinator</b>
<b>Mailing address:</b>	215 S College St      Winchester, TN 37398
<b>Phone number:</b>	931 967-0626
<b>Email:</b>	FCBOETitleIXCoordinator@fcstn.net

**Definitions**

“Complainant” is an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

“Respondent” is an individual who is reported to be the perpetrator of conduct that could constitute sexual harassment.

“Sexual harassment” is conduct on the basis of sex that satisfies one or more of the following;

1. A school district employee conditioning an aid, benefit, or service of an education program or activity on an individual’s participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the education program or activity; or
3. Sexual assault, dating violence, domestic violence, or stalking as defined in state and federal law.

Behaviors that constitute sexual harassment may include, but are not limited to:

1. Sexually suggestive remarks;
2. Verbal harassment or abuse;
3. Sexually suggestive pictures;
4. Sexually suggestive gesturing;
5. Harassing or sexually suggestive or offensive messages that are written or electronic;
6. Subtle or direct propositions for sexual favors; and
7. Touching of a sexual nature.

Sexual harassment may be directed against a particular person or persons, or a group, whether of the opposite sex or the same sex.

“Supportive measures” are non-disciplinary, non-punitive, individualized services and shall be offered to the complainant and the respondent, as appropriate. These measures may include, but are not limited to, the following:

1. Counseling;
2. Course modifications;
3. Schedule changes; and
4. Increased monitoring or supervision.

The measures offered to the complainant and the respondent shall remain confidential to the extent that maintaining such confidentiality would not impair the ability of the school district to provide the supportive measures.

### **Grievance Process**

Upon learning of an instance of alleged sexual harassment, even if no formal complaint is filed, the Title IX Coordinator shall:

1. Promptly contact the complainant to discuss the availability of supportive measures;
2. Consider the complainant’s wishes with respect to supportive measures;
3. Inform the complainant of the availability of supportive measures; and
4. Explain the process for filing a formal complaint.

While the school district will respect the confidentiality of the complainant and the respondent as much as possible, some information may need to be disclosed to appropriate individuals. All disclosures shall be consistent with the school district’s legal obligations and the necessity to investigate allegations of harassment and take disciplinary action.

Disciplinary consequences or sanctions shall not be initiated against the respondent until the grievance process has been completed. Unless there is an immediate threat to the physical health or safety of any student arising from the allegation of sexual harassment that justifies removal, the respondent’s placement shall not be changed. If the respondent is an employee, he/she may be placed on administrative leave during the pendency of the grievance process. The Title IX Coordinator shall keep the Director of Schools informed of any employee respondents so that he/she can make any necessary reports to the State Board of Education in compliance with state law.

### **Complaints**

Any individual who has knowledge of behaviors that may constitute a violation of this policy shall immediately report such information to the Title IX Coordinator, however, nothing in this policy requires a complainant to either report or file a formal complaint within a certain timeframe. If the complaint involves the Title IX Coordinator, the complaint shall be filed with the Director of Schools.

If a complaint involves allegations of child abuse, including child abuse on school grounds, appropriate notification shall be made per the board policy on reporting child abuse.

Upon receipt of a formal complaint, the Title IX Coordinator shall promptly:

1. Provide written notice of the allegations, and the grievance process to all known parties to give the respondent time to prepare a response before an initial interview;
2. Inform the parties of the prohibition against making false statement or knowingly submitting false information;
3. Inform the parties that they may have an advisor present during any subsequent meetings; and
4. Offer supportive measures in an equitable manner to both parties.

If the Title IX Coordinator dismisses a complaint, written notice, including the reasons for dismissal, shall be provided to both parties simultaneously.

## **Investigations**

The Director of Schools, or his/her designee, will appoint a Title IX Investigator who shall be responsible for investigating complaints in an equitable manner that involves an objective evaluation of all relevant evidence. The burden for obtaining evidence sufficient to reach a determination regarding responsibility rests on the school district and not the complainant or respondent. If there is an appeal, the appeal must be heard by a hearing officer (decision maker), again appointed by the Director of Schools or his/her designee. The hearing officer may be a person not associated with the school system, who has had no part in the investigation or the initial findings.

Once a complaint is received, the Investigator shall initiate an investigation within forty-eight (48) hours of receipt of the complaint. If an investigation is not initiated within forty-eight (48) hours, the Investigator shall provide the Title IX Coordinator with appropriate documentation detailing the reasons why the investigation was not initiated within the required timeframe.

All investigations shall be completed within twenty (20) calendar days from the receipt of the initial complaint. If the investigation is not complete within twenty (20) calendar days, the investigator shall provide the Title IX Coordinator with appropriate documentation detailing the reasons why the investigation has not been completed.

All investigations shall:

1. Provide an equal opportunity for the parties to present witnesses and evidence;
2. Not restrict the ability of either party to discuss the allegations under investigation or gather and present relevant evidence;
3. Refrain from requiring, allowing, relying upon, or otherwise using questions or evidence that seek disclosure of information protected under a legally recognized privilege unless such privilege has been waived;
4. Provide the parties with the same opportunities to have others present during any grievance proceeding;
5. Provide to parties whose participation is requested written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;
6. Provide both parties an equal opportunity to inspect and review any evidence directly related to the allegations in the formal complaint; and
7. Result in the creation of an investigative report that fairly summarizes relevant evidence.
  - a. Prior to the completion of the investigative report, the Investigator shall send to each party the evidence subject to inspection and review. All parties shall have at least ten (10) days to submit a written response which shall be taken into consideration in creating the final report.

Within the parameters of the federal Family Educational Rights and Privacy Act, the Title IX Coordinator shall keep the complainant and the respondent informed of the status of the investigation process. At the close of the investigation, a written final report on the investigation will be delivered to the parent(s)/guardian(s) of the complainant, parent(s)/guardian(s) of the respondent, and to the Director of Schools.

## **Determination of Responsibility**

The respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process. The 'clear and convincing evidence standard' shall be used in making this determination.



The Director of School/designee shall act as the decision-maker. He/she shall receive the final report of the investigation and allow each party the opportunity to submit written questions that he/she wants asked of any party or witness prior to the determining responsibility.

The decision-maker shall make a determination regarding responsibility and provide the written determination to the parties simultaneously along with information about how to file an appeal. A substantiated charge against a student may result in corrective or disciplinary action up to and including expulsion. A substantiated charge against an employee shall result in disciplinary action up to and including termination.

After a determination of responsibility is made, the Title IX Coordinator shall work with the complainant to determine if further supportive measures are necessary. The Title IX Coordinator shall also determine whether any other actions are necessary to prevent reoccurrence of the harassment.

### **Appeals**

Either party may appeal from a determination of responsibility based on a procedural irregularity that affected the outcome, new evidence that was not reasonably available at the time of the determination that could affect the outcome, or an alleged conflict of interest on the part of the Title IX Coordinator or any personnel chosen to facilitate the grievance process. Appeals shall be submitted to the Title IX Coordinator within ten (10) days of a determination of responsibility.

Upon receipt of an appeal, the Title IX Coordinator shall:

- Assign an impartial hearing officer within five (5) days of receipt of the appeal; and
- Notify the parties in writing.

## **Section XV— Student Record Information**

### **Article 15.1 — Student Records** ([Board Policy 6.600](#))

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

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

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

When a student transfers to another school within the system or to a school outside of the system, copies of the student's records, including the student's disciplinary records, shall be sent to the transfer school. All records shall be remitted in accordance with the Family Education Rights and Privacy Act (FERPA).

### **Access to Student Record**

Student records shall be confidential. Authorized school officials shall have access to and permit access to student education records for legitimate educational purposes. A "legitimate educational interest" is the official's need to know information in order to:

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

Authorized school officials may release information from or permit access to a student's education record without the parent(s)/guardian(s) or eligible student's prior written consent in the following instances:

1. To comply with a judicial order or lawfully issued subpoena. The school district will make a reasonable effort to notify the student's parent(s)/guardian(s) or the eligible student before making a disclosure;
2. If the disclosure is an item of directory information;
3. To comply with the requirements of child abuse reports to the extent known by the school officials including the name, address, and age of the student; the name and address of the person responsible for the care of the student; and the facts requiring the report;
4. When certain federal and state officials need information in order to audit or enforce legal conditions related to federally-supported education programs in the school district;
5. When the school district has entered into a contract or written agreement for an organization to conduct scientific research on the system's behalf to develop tests or improve instruction, provided that the studies are conducted in a manner which will not permit the personal identification of students and their parent(s)/guardian(s) by individuals other than representatives of the organization, and the information will be destroyed when no longer needed for the purpose for which the study was conducted;
6. To appropriate officials if the parent(s)/guardian(s) claim the student as a dependent as defined by the Internal Revenue Code;
7. To accrediting organizations to carry out their accrediting functions;
8. When a student seeks or intends to enroll in another school district or a post-secondary school. Parent(s)/guardian(s) of students or eligible students have a right to obtain copies of records transferred under this provision;
9. To financial institutions or government agencies that provide or may provide financial aid to a student in order to establish eligibility, to determine the amount of financial aid, to establish conditions for the receipt of financial aid, and to enforce financial aid agreements;
10. To make the needed disclosure in a health or safety emergency when warranted by the seriousness of the threat to the student or other persons, when the information is necessary and needed to meet the emergency, when time is an important and limiting factor, and when the persons to whom the information is to be disclosed are qualified and in a position to deal with the emergency;
11. To the Attorney General/designee for official purposes related to the investigation or prosecution of an act of domestic or international terrorism. An educational agency that, in good faith, produces education records in accordance with an order shall not be liable to any person for that production;
12. To any agency caseworker or other representative of a state or local child welfare agency or tribal organization authorized to access the student's educational records when such agencies or organizations are legally responsible for the care and protection of the student.

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

- A specification of the records to be released;
- The reasons for the disclosure;
- The person, organization, or class of persons or organizations to whom the disclosure is to be made;
- The signature of the parent(s)/guardian(s) or eligible student; and
- The date of the consent, and if appropriate, a date when the consent is to be terminated.

The student's parent(s)/guardian(s) or the eligible student may obtain a copy of any records disclosed under this provision.

The school district will maintain an accurate record of all requests to disclose information from or to permit access to a student's education records. The district will maintain an accurate record of information it discloses and access it permits. The district will maintain this record as long as it maintains the student's education record. The record will include at least:

- The name of the person or agency that makes the request;
- The interest the person or agency has in the information;
- The date the person or agency makes the request; and
- Whether the request is granted, and if it is, the date access is permitted, or the disclosure is made.

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

### **Article 15.2 — Notice of Rights**

The Family Educational Rights and Privacy Act (FERPA) affords parents/guardians/legal custodians and students over eighteen (18) years of age (eligible students) certain legal rights with respect to the student's educational records. The rights are:

- To inspect and review the student's educational record within forty-five (45) days of the day the system receives a request for access. Parents/guardians/legal custodians or eligible students should submit to the school principal/appropriate school official a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parents/guardians/legal custodians or eligible student of the time and place where the records may be inspected.
- To request the amendment of the student's educational record that the parents/guardians/legal custodians or eligible student believes is inaccurate or misleading. Parents/guardians/legal custodians or eligible students may ask the Franklin County School System to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identifying the part of the record they want changed, and specifying why it is inaccurate or misleading. If the system decides not to amend the record as requested by the parents/guardians/legal custodians or eligible student, the system will notify the parents/guardians/legal custodians or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parents/guardians/legal custodians or eligible student when notified of the right to a hearing.
- To consent to disclosures of personal identifiable information contained in the student's educational records, except to the extent that FERPA authorizes disclosure without consent. One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the system as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the system has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or parents/guardians/legal custodians or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks. A school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill his/her professional responsibility.

Upon request, the system discloses educational records, without consent, to officials of another school system in which a student seeks or intends to enroll. A complaint may be filed with the U.S. Department of Education concerning alleged failures by the school system to comply with the requirements of FERPA. The office that administers and oversees FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
600 Independence Avenue, S.W.  
Washington, D.C. 20202-4605

**Source: *Director's Update February 12, 2013***

The **Uninterrupted Scholars Act** took effect on January 14, 2013; this federal law amended the *Family Educational Rights and Privacy Act (FERPA)* to provide that personnel of state or federal agencies with responsibility for the care and protection of children (i.e. Tennessee Department of Children's Services) have the right to access a student's educational records without parental consent. The amendment also provides that school districts are not required to give parents notice when a court orders release of the educational records in court proceedings involving allegations of abuse and neglect. This means for students who are in state custody (including foster care) Tennessee Department of Children's Services caseworkers may now access a student's educational records without parental consent, whether or not the parental rights of the biological parents have been terminated, and school districts are not required to notify parents of the child before releasing the information pursuant to a court order.

## **Section XVI -- Homework**

*It is strongly suggested that homework count no more than 10% of a student's grade.* Homework is recognized as a supportive activity designed to promote academic achievement, reinforce or apply a skill previously taught, and to extend learning activities into the home. Meaningful homework assignments shall be made throughout the school year. In order to assure meaningful homework, assignments should be:

1. An outgrowth of classroom instruction;
2. Clear and definite;
3. Monitored or evaluated in line with a system that is understood by the class;
4. Flexible to accommodate students' needs; and
5. Structured in such a way that adequate time is provided to begin the assignment in class with proper supervision.

Homework assignments should not be excessively lengthy for students and their parents/guardians/legal custodians. The following research-based suggestions are presented as guidelines for a reasonable amount of homework:

Grades K – 2	daily average of not more than twenty (20) minutes.
Grades 3 – 6	daily average of not more than ten (10) minutes per grade (i.e., Grade 3 – not more than 30 minutes, grade 6 – not more than 60 minutes).
Grades 7 - 12	varies with difficulty of the subject, and special projects and assignments are expected to take additional time.

When a student has more than one (1) academic teacher, the teachers must collaborate closely to be sure that, collectively, the amount of assigned homework is not, and/or does not become, excessive.

Homework assignments shall take into consideration individual differences of students such as health, ability, home conditions, and educational resources at home. Teachers shall also take into consideration

unusual situations. Homework shall be viewed as practice for skills taught in class. The teacher shall notify parents/guardians/legal custodians, in writing, if the homework of the student is not satisfactory. It is important that teachers are aware of the difficulty some students experience with homework and that appropriate accommodations and modifications are made.

## **Section XVII – Media Releases/Publications** ([Board Policies 6.604 and 4.407](#))

The parents/guardians/legal custodians of a student must annually notify the school ([Administrative Procedure 4.407.2](#)), as soon as possible after entering school if the student's name, art, written work, voice, verbal statements and/or digital images/portraits/pictures **are or are not** to be included in publications and/or public relations activities (including web-site) of the school system or any school thereof. If digital images/portraits/pictures are allowed; the student may or may not be personally identified.

## **Section XVIII — Student Equal Access** ([Board Policy 4.802](#))

Schools may allow students to form non-curricular clubs or groups that meet before, during, or after the school day. Requests to form such clubs or groups shall not be denied based upon the religious nature or beliefs of the proposed club or group. If permitted, school administrators shall ensure that all clubs and groups have the same abilities to access facilities and advertise their meetings.

### *School Sponsored Events*

If the 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, on an otherwise permissible subject;
2. There is an appropriate method of selecting student speakers which is based on neutral criteria; and
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 Board and its employees.

## **Section XIX — Student Clubs and Organizations** ([Board Policy 6.702](#))

Student organizations are an extension of the academic curriculum and are intended to complement the basic instructional program.

The principal, in cooperation with the school's leadership team, shall approve all clubs and organizations within the school. Application must be completed and reviewed by the principal and leadership team. If the club is approved at the school level, the application is forwarded to the director of schools for final approval and designation as either an academic or non-academic club/organization.

## **Section XX — Rights to Review**

### **Article 20.1 – Instructional Materials** ([Board Policy 4.400](#))

All classrooms and learning centers shall be equipped with the instructional materials needed to provide quality learning experiences for students. The Board seeks to provide a wide range of instructional materials that cover all levels of difficulty, generate critical thinking, and support the educational programs. The director of schools shall develop procedures to review and reconsider instructional

materials that are allegedly inappropriate. A list of textbooks and instructional materials used by the schools shall be revised annually by building administrators under the direction of the director of schools. Upon request, parents/guardians shall have the ability to inspect the following items; instructional materials; teaching materials; teaching aids; handouts; and tests that are developed by and graded by their child's teacher.

**Article 20.2 – Textbooks** ([\*Board Policy 4.401\*](#))

The selection of textbooks shall be completed according to the laws and policies required by the State of Tennessee and the State Textbook Commission. The responsibility for textbook selection rests with the local textbook selection committees subject to approval by the Board. The citizens of the community have the opportunity to examine proposed textbooks prior to their final adoption; there must be public notice of the time and location at which textbooks may be examined. Once the proposed textbooks have been approved by the Board, the director of schools shall post the list of all approved textbooks and instructional materials on the school system's website. A list of textbooks used by the schools shall be revised annually. Textbooks shall be available for inspection by parents/guardians upon request.

**Section XXI –Every Student Succeeds Act.**

**Article 21.1 — Right to Request Teacher Qualifications**

Parents/guardians/legal custodians of students enrolled in Title I schools have the right to request information regarding the professional qualifications of his/her child(ren)'s classroom teacher(s). Upon request, the school system will provide the following as soon as possible:

- State licensing requirements for the grade level and subjects in which a specific teacher is providing instruction;
- Status of the licensure under which a teacher is employed (i.e., Practitioner or Professional);
- Specific college degree(s) of the specific teacher as well as the teacher's academic major and additional college work which was used to establish proper licensure; and
- Qualifications of any attending paraprofessional(s) who is/are working with students in supportive instructional role(s).

**Article 21.2 — Safe and Drug-Free Schools**

Under the Tennessee State Board of Education's *Unsafe School Choice Policy*, any public school student who is the victim of a violent crime as defined under *TCA 40-38-111(g)*, or the attempt to commit one of these offenses as defined under *TCA 39-12-101*, shall be provided an opportunity to transfer to another grade-level appropriate school within the district. Additional information regarding this option may be obtained by contacting Ms. Jenny Crabtree, Director of Federal Programs at the Franklin County Board of Education (Central Office), 215 S College Street, Winchester, TN 37398, (931) 967-0626.

**Section XXII — Asbestos (Management Plan)**

Asbestos is a mineral fiber that has been used commonly in a variety of building construction materials for insulation and as a fire-retardant. When asbestos-containing materials are damaged or disturbed by repair, remodeling or demolition activities, microscopic fibers become airborne and can be inhaled into the lungs, where they can cause significant health problems. The most common source of asbestos exposure include deteriorating, damaged, or disturbed asbestos-containing products such as insulation, fireproofing, acoustic materials, and floor tiles.

Prior to July of 1989, the Franklin County Schools submitted a Management Plan to the Tennessee Department of Finance and Administration. The Management Plan details all areas where asbestos containing materials are present in Franklin County Schools and the manner in which the materials will be handled.

The Management Plan is accessible to the public for review at the Central Office (located at 215 South College Street in Winchester). Viewing can normally take place Monday through Friday from 8:30 am to 3:30 pm.

No abatement activities are anticipated at this time and new construction will not be made from materials containing friable asbestos.

## **Section XXIII – Assessments**

### **Article 23.1 – Required State Assessments**

#### **[Overview of Testing in Tennessee](#)**

#### **[Specific Testing Dates](#)**

**Article 23.2 — Required Local Assessments**

	Assessment	Testing dates	Grades/ Students	Purpose	Parent Notification including time
<b>Universal Screener</b>	<b>iReady - <u>Early Literacy</u></b>	Three times a year - Early August, December, and May	<b>K-2</b>	To show and measure growth in reading; and to determine if additional instructional time is needed for mastery.	Information forwarded to parents through students and then parent-teacher conferences. Parent can also view results on-line (requires a special password from teachers).
	<b>iReady – <u>Reading</u></b>	Three times a year - Early August, December, and May	<b>3 – 8</b>	To show and measure growth in reading, and to determine if additional instructional time is needed for mastery.	Information forwarded to parents through students and then parent-teacher conferences. Parent can also view results on-line (requires a special password from teachers).
	<b>iReady – <u>Math</u></b>	Three times a year - Early August, December, and May	<b>1 – 8</b>	To show and measure growth in reading, and to determine if additional instructional time is needed for mastery.	Information forwarded to parents through students and then parent-teacher conferences. Parent can also view results on-line (requires a special password from teachers).
	<b>Benchmark Assessments (optional)</b>	Three times a year - Early August, December, and May	<b>K – 8</b>	To show and measure growth in reading according to grade level standards.	Information forwarded to parents through students and then parent-teacher conferences. Parent can also view results on-line (requires a special password from teachers).
	<b>Unit Assessments (optional)</b>	Grades K will test October, November, February, March and May. Grade 1 will test September, November, January, March, and May; Grades 2 will test September, November, December, February, March and May - the last test is optional.	<b>K – 8</b>	To identify students' level of mastery as it relates to grade level standards.	Information forwarded to parents through students and then parent-teacher conferences. Parent can also view results on-line (requires a special password from teachers).
<b>Identified - Special</b>	<b>AIMSweb</b>	Every two weeks, beginning late August	Identified students with special needs (IEP and/or RTI)	To increase all students' achievement and ultimately close gaps in achievement.	Last school day of the month.
<b>Pre-test for EOCs</b>	<b><u>Algebra I and II, English I, II, and III, Biology,</u></b> <b>others added as needed (optional)</b>	Early August and January, when applicable	<b>9 – 11</b>	Analysis of strengths and weaknesses.	Students convey results to parents - two weeks or when applicable
<b>Safety</b>	<b>Career Technical Education (CTE) Safety Test</b>	First week of the CTE course - early August and January, when applicable	<b>9 – 12</b>	Ensure students' knowledge of safety before any shop participation.	Students convey results to parents - two weeks after completion of test.
<b>Exams</b>	<b><u>Semester Exams</u></b> Policy 4.600 - page 2, lines 32-33	End of semester - late May and December, when applicable	<b>9 – 12</b>	Summation of mastery of terminal objectives.	Students convey results to parents - late May and December, when applicable.



## **Section XXIV — Posting of the approved *Code of Conduct***

The *Code of Conduct* shall be posted on the system's web-site readily available to students, parents, staff, and others.

Upon request, the school principal shall provide a printed copy.

## **Section XXV — Review and Update**

### **Article 25.1 – Annual Review and Update**

Annually, the *Code of Conduct* shall be reviewed and updated. All changes and updates must be approved by the Franklin County Board of Education.

Changes and up-dates will not officially become part of the *Code of Conduct* until approved by the Franklin County Board of Education.


### **Article 25.2 – Referenced in all Handbooks**

The *Code of Conduct* shall be referenced in all school handbooks.

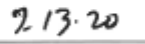
## **Section XXVI — Adoption by Board**

Typically at the July business meeting, proposed changes to the *Code of Conduct* shall be submitted to the Franklin County Board of Education for approval. Only upon approval of the Franklin County Board of Education shall the *Code of Conduct* be updated on the system's web-site.

  
\_\_\_\_\_  
Chair, Franklin County Board of Education

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Director of Schools

  
\_\_\_\_\_  
Date